

Carl Newton to be postmaster at De Forest, Wis., in place of Carl Newton. Incumbent's commission expired August 26, 1939.

Victoria St. Angelo to be postmaster at Frederic, Wis., in place of Victoria St. Angelo. Incumbent's commission expired February 14, 1940.

Harold P. Van Buren to be postmaster at Hartland, Wis., in place of H. P. Van Buren. Incumbent's commission expires June 1, 1940.

Karl C. Neubauer to be postmaster at Horicon, Wis., in place of K. C. Neubauer. Incumbent's commission expired April 24, 1940.

Anal E. Lennon to be postmaster at Hurley, Wis., in place of A. E. Lennon. Incumbent's commission expired April 1, 1940.

Richard H. McCarty to be postmaster at Kaukauna, Wis., in place of R. H. McCarty. Incumbent's commission expired May 19, 1940.

Fred C. Wolff to be postmaster at Lakemills, Wis., in place of F. C. Wolff. Incumbent's commission expired May 19, 1940.
Emil L. Silverness to be postmaster at Mondovi, Wis., in place of E. L. Silverness. Incumbent's commission expired May 30, 1938.

August W. Frisch to be postmaster at New Holstein, Wis., in place of A. W. Frisch. Incumbent's commission expired February 14, 1940.

Jacob Werner to be postmaster at New London, Wis., in place of Jacob Werner. Incumbent's commission expired January 18, 1939.

Amos T. Green to be postmaster at Niagara, Wis., in place of W. J. Woulf, deceased.

Clara A. E. Manion to be postmaster at Oregon, Wis., in place of C. A. E. Manion. Incumbent's commission expired May 13, 1940.

Jennie C. Thomm to be postmaster at Oxford, Wis., in place of J. C. Thomm. Incumbent's commission expired April 28, 1940.

John W. Schnettler to be postmaster at St. Nazianz, Wis., in place of J. W. Schnettler. Incumbent's commission expires June 1, 1940.

Charles J. Morris to be postmaster at Sharon, Wis., in place of H. S. Morris, deceased.

Louis J. Albrecht to be postmaster at Sheboygan, Wis., in place of L. J. Albrecht. Incumbent's commission expired April 24, 1940.

William H. Shay to be postmaster at Somerset, Wis., in place of W. H. Shay. Incumbent's commission expires June 1, 1940.

Allison L. McNeight to be postmaster at Statford, Wis., in place of A. L. McNeight. Incumbent's commission expired April 24, 1940.

Kyle Sowle to be postmaster at Tomah, Wis., in place of Kyle Sowle. Incumbent's commission expires June 18, 1940.

Charles F. Kurtz to be postmaster at Two Rivers, Wis., in place of C. F. Kurtz. Incumbent's commission expires June 1, 1940.

WYOMING

Arthur W. Crawford to be postmaster at Guernsey, Wyo., in place of A. W. Crawford. Incumbent's commission expires May 22, 1940.

George W. Nance to be postmaster at Midwest, Wyo., in place of G. W. Nance. Incumbent's commission expires June 1, 1940.

Cleo H. Massey to be postmaster at Parco, Wyo., in place of C. H. Massey. Incumbent's commission expires June 1, 1940.

Daniel C. Carson to be postmaster at Pinedale, Wyo., in place of D. C. Carson. Incumbent's commission expired January 20, 1940.

Daniel D. Spani to be postmaster at Rock Springs, Wyo., in place of D. D. Spani. Incumbent's commission expires June 1, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 20 (legislative day of April 24), 1940

UNITED STATES PUBLIC HEALTH SERVICE

TO BE ASSISTANT SURGEONS

| | |
|---------------------|---------------------|
| Glen E. Ogden | James A. Smith |
| George F. Ellinger | James L. Southworth |
| Ralph W. McComas | Curtis G. Southard |
| David B. Wilson | Harry A. Tanton |
| Bryan A. Dawber | John A. Brasfield |
| John F. Oesterle | Daniel J. Daley |
| Howard V. Turner | William J. Brown |
| Kenneth F. Hausfeld | Joe M. Chisolm |

POSTMASTERS

IDAHO

Clarence M. Friend, Elk River.
Gilbert G. Smith, Filer.
Clyde H. Daugherty, Kendrick.
Ida J. Peck, Lava Hot Springs.
Benjamin Y. Edwards, McCammon.
Jesse J. Walling, Nampa.
Michael A. Stronk, Twin Falls.

VIRGINIA

Frances Glassell Beale, Bowling Green.
Anthony G. Simmons, Fincastle.
John Dabney Simpson, Middleburg.
William T. Roberts, Nassawadox.
Thomas N. Carruthers, Purcellville.
Levi E. Stephenson, Wakefield.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 20, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who dost remember when the world forgets, our faith looks up to Thee as the source of all good. As the sword of hate is drawn from its black sheath, the morrow of victory may be more perilous than its eve; O hear the troubled voice of our prayer. On the sea of humanity the tides are running crimson to the iron-toned discords of military vandals. Harps of national peace and contentment are hung on the willows of despair; songs are stifled as by the waters of Babylon; Thy children wait for the end. Almighty God, somehow, somehow, let Thy voice be heard; O speak and let in the light. Grant that our Republic amid the torturing puzzles of man's inhumanity to man, may stand unafraid as the clouds wind through the shadow-hung skies. Permit no servitude and shame to dim the lights of our altars. As citizens who cherish the ideals of a free people, lift us to a high level of patriotic devotion. O bless the cornerstone of our holy faith that was laid in that far-off time; following with listening, obedient souls lead us daily to the tablelands of prayer. Manifest Thy guiding hand in all the affairs of the Congress. Let the starward look give poise and peace to our earthward steps. Be with our President and all his advisers. Grant that their wisdom, understanding, and their chivalry of heart may be felt throughout the length and breadth of this world's tragic life. In the name of the Prince of Peace. Amen.

The Journal of the proceedings of Friday, May 17, 1940, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed joint resolutions and bills of the House of the following titles:

On May 11, 1940:

H. J. Res. 431. Joint resolution to extend to the 1940 New York World's Fair and the 1940 Golden Gate International Exposition the provisions according privileges under certain customs and other laws to the expositions of 1939.

On May 13, 1940:

H. R. 7806. An act to authorize the striking of an appropriate medal in commemoration of the three hundredth anniversary of the establishment of Greenwich, Conn., as a town.

On May 14, 1940:

H. J. Res. 258. Joint resolution to amend section 8 (f) of the Soil Conservation and Domestic Allotment Act, as amended;

H. J. Res. 519. Joint resolution to suspend section 510 (g) of the Merchant Marine Act, 1936, during the present European war, and for other purposes; and

H. R. 8319. An act making appropriations for the Departments of State, Commerce, and Justice, and for the Judiciary, for the fiscal year ending June 30, 1941, and for other purposes.

On May 15, 1940:

H. R. 6965. An act for the relief of Stina Anderson.

EXTENSION OF REMARKS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a letter I received from one of my constituents in Montana with reference to the war situation, and a copy of my reply.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, I ask unanimous consent to include in the remarks I expect to make today a quotation from a letter received by me from the Comptroller General.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record on the subject of Citizenship Day and include therein certain quotations.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FLANNAGAN and Mr. BLACKNEY asked and were given permission to extend their own remarks in the Record.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative program of today and following any special orders that may have been previously entered I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SPEND LESS, TAX MORE, OR BUST

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 15 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, if we are ever going to save this Nation, we must do one of these things—spend less, tax more, or bust.

NATIONAL DEFENSE

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a radio address by Colonel Lindbergh made last night.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. OLIVER. Mr. Speaker, war hysteria is gripping this Nation. Every day increasing numbers of our good people are even urging active participation in this present foreign holocaust. It is well, then, that at such a time a great American should address the Nation in a calm, dispassionate manner disabuse our minds of the impressions and impulses engendered by those who would place this country once again in the maelstrom of foreign mass murder. Last evening over the Columbia Broadcasting System I listened to that great symbol of brave, courageous, and clean American manhood, Col. Charles Lindbergh, Jr., discuss in a reassuring manner the defense problem of America. In 10 minutes he outlined in reasonable, rational, and realistic fashion our immediate problem as well as our long-range necessities in the matter of national defense. As one Member of Congress, I welcomed that statement as coming from one who knows whereof he speaks. I suggest that every Member of this House study Lindbergh's speech daily until it becomes thoroughly impregnated in and indelibly impressed upon the collective consciousness of this body.

The following are the words of wisdom of a sincere, loyal, and patriotic American citizen:

In time of war and confusion, it is essential for our people to have a clear understanding of the elements upon which our national safety depends. Aviation has now become one of these elements, and it is about the air defense of America that I speak to you tonight.

The power of aviation has been greatly underrated in the past. Now, we must be careful not to overrate this power in the excitement of reaction. Air strength depends more upon the establishment of intelligent and consistent policies than upon the sudden construction of huge numbers of airplanes.

Even here in America it is difficult to think clearly amidst the conflict of facts and headlines, the contradictory advice of columnists, the claims and counterclaims of propaganda, and the blind selfishness of party politics. The conservative who scoffed at aviation yesterday has become the radical who says that tomorrow we will be invaded by European aircraft.

Let us reexamine the position of America in the air. New discoveries and developments affect nations in different ways. In Europe aviation has affected England adversely and Germany advantageously. One nation may have a psychology and topography which promotes the development of aviation, while another finds itself entirely unadjusted to the tempo of the air.

UNITED STATES IN FORTUNATE POSITION

Judged by aeronautical standards, we in the United States are in a singularly fortunate position. Our people have natural ability in the design, construction, and operation of aircraft. Our highly organized industry, our widely separated centers of population, our elimination of formalities in interstate travel, all contribute to the development of American aviation. From the standpoint of defense, we still have two great oceans between us and the warring armies of Europe and Asia.

In fact, there is hardly a natural element contributing to air strength and impregnability that we do not now possess. Aviation is for us an asset. It adds to our national safety. With a firm and clear-cut policy, we can build an air defense for America that will stand above these shifting sands of war.

But until we have decided upon a definite policy of defense the mere construction of large numbers of aircraft will not be adequate for our national safety. In fact, without a strong policy of defense, we will not even know what types of planes to build. The speed and range of our fighting planes must depend upon the bases available for their use.

If we are to defend the United States alone, then we must construct numerous air bases along the Mexican and Canadian borders. Such a plan would require numbers of small bombers and pursuit planes, and eventually it would leave us as vulnerable to air attack as the nations of Europe are today. On the other hand, if we are to defend the entire Western Hemisphere, we need long-range bombers capable of attacking a hostile fleet a thousand miles or more at sea. But there is little use discussing types and numbers until a defense policy is established.

OTHER NATIONS MUST AID

This brings us to an issue which must sooner or later be faced. An adequate air defense of the Western Hemisphere necessitates the cooperation of the other nations of this hemisphere. Our military aircraft must have access to their bases. Their foreign policy must have some relationship to ours. We cannot hold this hemisphere free from foreign war if nations which lie within it declare war on foreign powers.

Let us not be confused by this talk of invasion by European aircraft. The air defense of America is as simple as the attack is difficult when the true facts are faced. We are in danger of war today not because European people have attempted to interfere with the internal affairs of America, but because American people have attempted to interfere with the internal affairs of Europe.

It is true that bombing planes can be built with sufficient range to cross the Atlantic and return. They can be built either in America or Europe. Aeronautical engineers have known this for many years. But the cost is high, the target large, and the military effectiveness small. Such planes do not exist today in any air force. A foreign power could not conquer us by dropping bombs in this country unless the bombing were accompanied by an invading army. And an invading army requires thousands of small bombers and pursuit planes; it would have little use for huge trans-Atlantic aircraft.

No, the advantage lies with us, for great armies must still cross oceans by ship. Only relatively small forces can be transported by air today, and over distances of a few hundred miles at most. This has great significance in Europe, but it is not an element that we have to contend with in America.

Such a danger can come, in any predictable future, only through division and war among our own peoples. As long as American nations work together, as long as we maintain reasonable defense forces, there will be no invasion by foreign aircraft. And no foreign navy will dare to approach within bombing range of our coasts.

SEES INTERNAL DANGER

Our danger in America is an internal danger. We need not fear a foreign invasion unless American peoples bring it on through their own quarreling and meddling with affairs abroad. Our eyes should not search beyond the horizon for problems which lie at our feet. The greatest lesson we can draw from Europe today is that national strength must be built within a nation itself and cannot be achieved by limiting the strength of others.

What of the unforeseen developments of science? Rocket propulsion? New forms of energy? New methods of destruction? No generation can entirely safeguard the future for those that follow. They must meet their own problems as those problems arise. The greatest inheritance we can pass on to our children is a reasonable solution of the problems that confront us in our time—a strong nation, a lack of debt, a solid American character free from the entanglements of the Old World.

Let us guard America today as our forefathers guarded it in the past. They won this country from Europe with a handful of revolutionary soldiers. We certainly can hold it now with a population of 130,000,000 people. If we cannot, we are unworthy to have it.

But the course we have been following in recent months leads to neither strength, nor friendship, nor peace. It will leave us hated by victor and vanquished alike, regardless of which way the tide of battle turns. One side will claim that we aided its enemies; the other, that we did not help enough.

To be successful in modern warfare, a nation must prepare many years before the fighting starts. If anyone doubts that, let him turn his eyes to Europe. Years ago we decided to stay out of foreign wars. We based our military policy on that decision. We must not waver now that the crisis is at hand. There is no longer time for us to enter this war successfully. The result of vacillating policies lies clearly before us in the chaos of Europe today.

STOP CHATTER, HE SAYS

Let us turn again to America's traditional role—that of building and guarding our own destiny. We need a greater air force, a greater Army, and a greater Navy; they have been inadequate for many years. Let us form with our neighboring nations a clear-cut and definite policy of American defense. But, above all, let us stop this hysterical chatter of calamity and invasion that has been running rife these last few days. It is not befitting to the people who built this Nation.

That the world is facing a new era is beyond question. Our mission is to make it a better era. But regardless of which side wins this war, there is no reason, aside from our own actions, to prevent a continuation of peaceful relationships between America and the countries of Europe. If we desire peace, we need only stop asking for war. No one wishes to attack us, and no one is in a position to do so.

The only reason that we are in danger of becoming involved in this war is because there are powerful elements in America who desire us to take part. They represent a small minority of the

American people, but they control much of the machinery of influence and propaganda. They seize every opportunity to push us closer to the edge.

It is time for the underlying character of this country to rise and assert itself, to strike down these elements of personal profit and foreign interest. This underlying character of America is our true defense. Until it awakes and takes the reins in hand once more, the production of airplanes, cannon, and battleships is of secondary importance. Let us turn our eyes to our own Nation. We cannot aid others until we have first placed our own country in a position of spiritual and material leadership and strength.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I, too, want to congratulate Colonel Lindbergh on the wonderful speech he made last night. There are two things that I wish to mention that I believe ought to be referred to now that we are deeply involved in this war hysteria. Last fall, 5 days after the war opened in Europe, and 13 days before Congress was to reconvene, the President, acting under the emergency powers granted by the National Defense Act and the Neutrality Act, increased the Army and the Navy. I did not believe that was the American way to do it. The other night, at 10 o'clock, a decision was made at the White House, and I could not find in the papers that any men from the Hill were present. The next day at 1 o'clock, after the decision made at 10 o'clock the night before, a message was delivered to us, and it was heard on the radio out of London before it was heard in America. This certainly, too, was not the American way.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by C. C. Isley.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Deposit Courier.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

NATIONAL DEFENSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I do not subscribe to the charges that have been made to the effect that all the money spent on national defense in recent years has been of no avail. I believe it has been of considerable importance, particularly as far as the Navy is concerned. Neither do I believe that the duty of Congress will be discharged unless Congress, with the utmost care, sees to it, both now and in the future, that the moneys appropriated for this basically important purpose are spent in the best and most useful way possible. After all, national defense does not consist simply of the passage of appropriation bills, it consists only of the possession of the actual implements of defense; and that is our job, as I see it.

There is one thing about this matter that distresses me considerably, as I read in the press reports that it is proposed not only to ask that protective measures with regard to the hours of labor and wages that have been passed in the past

should be suspended but also that limitations on profit and regulations regarding contracts should be suspended. Now, I am sure labor stands ready to do whatever is needful for the sake of national defense, but I think all other groups should do the same, and I do not favor opening the way for unlimited profits to be made at the expense of the Nation. I should think it might be wise to have a board of citizens of the highest character appointed, including representatives of industry, labor, Congress, and the Army and Navy, which might coordinate this national-defense effort and make recommendations as to where and when it is necessary for certain restrictions to be relaxed. This would be a very different matter from simply taking off the lid and saying that the sky is the limit so far as profits are concerned.

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1941

Mr. CALDWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes, with Senate amendments, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none and appoints the following conferees: MESSRS. CALDWELL, MAHON, O'NEAL, RABAUT, HOUSTON, STEFAN, CASE of South Dakota, and LAMBERTSON.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement prepared by Mr. Luther H. Evans, Director of the Legislative Reference Service of the Library of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein extracts from the study of the New York State Bar on international law.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very interesting letter on a W. P. A. project, written by Thomas E. Dewey, and another letter from the chairman of the board of selectmen of the town of Scituate, Mass.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE RELIEF BILL

Mr. DITTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DITTER. Mr. Speaker, tomorrow we will return to the consideration of the relief bill. I am introducing a measure today designed to meet some of the conditions that have been shown to exist in connection with the administration of the present relief program.

I ask unanimous consent to have that bill inserted, along with my remarks, in the Appendix of the RECORD, and I also

ask unanimous consent to extend my own remarks further in connection with the matter at this time.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DITTER. Mr. Speaker, the House should be better prepared to pass critical judgment upon the pending relief appropriation bill at this time than it has on any similar measure in the past 7 years. The subcommittee of the Appropriations Committee which brings this bill to the House has held extensive hearings on the bill which have yielded much valuable information. The factual information developed during the course of those hearings merits the careful study and thoughtful consideration of every Member of the House who is interested in the welfare of those who are the victims of the continued unemployment condition from which the present administration has failed to give any substantial relief.

The same committee has been engaged in a special investigation and study of the W. P. A. for a year, during which time every effort was made to secure a fair and honest appraisal of the operations of W. P. A. in its relation to relief, unemployment, private industry, and the taxpaying public. That investigation and study has thrown much light upon the past and present relief policies of the Federal Government, and particularly the administration of the agency which it has established to carry out its program. The record of that investigation speaks for itself. It is admitted on all sides that the improvements which were made in the last year were due directly to the work of the investigating committee. But while improvements have been noted, still there is much yet to be done by those in charge of W. P. A., should the Congress decide to continue the present plan of dealing with the relief needs. The minority members of the committee are encouraged by the statement in the report of the investigating committee that "the very fact that an investigating body had been authorized by the House was notice to the entire W. P. A. organization to start to place its house in order." From this statement we assume that "its house" was not in order, and that the start which has been made will be continued to the end. Aside from the acknowledged irregularities in administration which prevailed in all sections of the country, indisputable evidence has been produced showing inefficiency, incompetence, and a degree of irresponsibility which have resulted in tremendous losses not only in dollars and cents but in the morale of those who suffered most from the depression and in whose hearts and minds expectation had been created without the slightest chance that they would ever be realized.

The fact of the matter is we have been temporizing too long with this relief problem. It is the most important problem before us. It is an intensely human problem. It affects every district in the country. It touches your neighbor and my neighbor. War or no war, election or no election, the unemployment problem should be our immediate concern. From year to year appropriations have been made for work relief, to take up the slack of unemployment, to give assistance to men and women without jobs. That is as far as it has gone. It has been handled as an isolated problem instead of dealing with it as a related problem, related not to social study, not to political opportunity, not to the maintenance of men on subsistence standards, but related to the very vital and very important matter of industrial and agricultural recovery.

As I have listened day after day to the evidence presented before the committee, the more convinced I have become that drastic action must be taken to develop a constructive and economical relief program. Unfortunately, the economic policies of the New Deal have failed to bring about recovery for the Nation. But as unfortunate as this may be, it is a greater calamity by far that the administration's relief policies have failed to achieve an economical, equitable, and coordinated relief program. The relief administration has been going round and round like a dog chasing its tail, and from a reading of the record any reasonable man would be

compelled to say that it has been "getting nowhere fast." Billions have already been spent, more billions will have to be spent unless the warnings which have been repeatedly given are heeded.

It is assumed that all are familiar with the general organization and procedure of the W. P. A. But I wonder if all of you are aware of the various steps which must be taken before a W. P. A. project is finally approved and work starts. A project, in theory, proposed by a local sponsor, must go up through the hierarchy of district, State, regional, and national offices before it is approved. While it is operating, all of these officers have some supervision over the project. In view of this clumsy and complex organization, it is no wonder that there are many inefficiencies, irregularities, inconsistencies, and an abundance of questionable practices. The Washington office apparently has not been able to keep its finger on conditions in the States, in spite of the fact that an army of employees is engaged in administrative work.

The investigation has revealed many abuses in the W. P. A. work. Chief among them are the improvement of private property at public expense, the lack of proper supervision which results in waste, the employment of people not in need, the operation of projects of doubtful public value and utility, padded sponsors' contribution, purchase of excess equipment, the operation of projects on which a high percentage of non-relief labor is required, and a general disregard of the taxpayers' interests.

These abuses are more or less general throughout the whole country, and particularly bad in some States. As might be expected, the situation in Louisiana is the worst of all. Although the local sponsors may be primarily responsible for the waste and diversion and misapplication of public funds which were taking place there, it seems incomprehensible that Federal officials were not cognizant of the irregularities. The New York City unit of the W. P. A. is larger than that of any State, and the number of irregularities in administration is greater than in any other unit. Indiana, Florida, and Pennsylvania also have a large number of cases of inefficiency, poor judgment, and bad management. Let us look at some of the details to see how these irregularities have developed.

The major share of W. P. A. money for Louisiana has been spent in New Orleans. The district engineer there never graduated from any engineering college, and his experience prior to becoming district engineer was that of a telephone linesman with a corresponding course in telephone engineering.

In the period up through August 31, 1939, the Federal Government spent \$83,804,353.02 of W. P. A. money in Louisiana, and the sponsors were credited with expenditures totaling \$19,880,190.82. In attempting to get a break-down of these expenditures the investigators discovered that it was impossible to get any detailed information. The only break-down available is between labor and nonlabor items. That applies both to W. P. A. expenditures and sponsor contribution.

The city of New Orleans has had considerable difficulty in meeting its sponsors' contribution, and revision of original agreements have been necessary. Nevertheless the W. P. A. officials approved projects requiring expenditure of millions of dollars of W. P. A. funds based on agreements requiring large contributions by the city of New Orleans.

In the purchase of asphalt for W. P. A. projects it is apparent that excessive prices were paid, and for a period of time one firm received all of the business. The conditions surrounding the transactions indicate very clearly that administrative efforts were woefully weak and entirely ineffective.

The W. P. A. expended thousands of dollars in building or improving streets and in laying sidewalks in areas where there were no houses located or such houses as existed were part of a real-estate development. In connection with the Lake Ponchartrain front development project, involving an expenditure of \$7,605,732.80 of W. P. A. money and \$986,440.08 in sponsors' contribution, there have been a lot of irregu-

larities. The sponsor has taken credit at excessive rates for the sand used in connection with fill and for truck hire. A large real-estate development is included in the project. The project also includes an amusement park, embracing a merry-go-round, roller coaster, bathing beach, and hot-dog stands. The project application, signed by the sponsor, the Orleans Levee Board, certifies that none of the improvements made with W. P. A. funds shall be sold or leased to private individuals or quasi public corporations operating for profit. Notwithstanding that, the private operator had a lease existing at the time the project application was signed, and it was known that such lease would be continued.

Time does not permit further recounting of the irregularities of W. P. A. administration in Louisiana, but they are indeed numerous and notorious. They include such matters as the extermination of rats at a cost of \$2.97 per rat, and the building of the Mandeville golf course, out in the country, 57 miles from New Orleans, which in effect serves only as a private club for a few prominent citizens who have large estates adjacent thereto.

Suspicion has been directed for some time to the State government in Louisiana, but to discover that the same tactics have been used in the W. P. A. there and that large amounts of Federal funds have been misused and wasted is startling. That the central offices of the W. P. A. were either unaware of what was going on there or indifferent to it is further proof of the administrative inefficiency which has characterized the W. P. A.

The committee investigators spent approximately 8 months studying the operation of W. P. A. in New York City. Their attempts to secure information were rather hampered by the attitude and actions of Colonel Somervell, the Administrator. Last year the colonel sent a ball and screw to two of the investigators after they had made a report, indicating that he considered them "screw balls." But, despite this non-cooperative spirit, the investigators were able to find evidence of scores of important irregularities.

The New York City unit of the W. P. A. is the largest in the country, larger than that of any State. In the period from August 1, 1935, to February 1, 1940, the W. P. A. spent \$765,180,417 in New York City and the city expended \$93,163,237 in addition. It is perhaps understandable that with so much money being spent there should be slips and irregularities, but the character and extent of some of them is indicative of very poor management.

We remember from the last year the story of the W. P. A. exhibit building at the World's Fair. Originally estimated by Colonel Harrington himself to cost \$150,000, the cost finally came to around \$680,000.

The North Beach Airport project in New York developed all sorts of abuses. In the first place, work on the project was started on ground before title to such property was secured by the city. This is a technical violation of the rules of procedure of W. P. A. The most notorious abuse, however, was the employment of a large percent of nonrelief labor on the project. In the period from March 1939 to March 1940 there were an average of 11,079 employees on the airport project; 2,740, or 24.7 percent of them, were noncertified or nonrelief people. At one time, October 1939, 36.3 percent were nonrelief. When you look at the figures for skilled labor alone the picture is much worse. In September 1939, 53 percent of the skilled labor was noncertified. Such a situation resulted in some men drawing wages running as high as \$10 or more a day, while relief workers were on monthly security wages ranging from \$50 to \$95 a month.

Evidence indicates, furthermore, that construction was begun without formulation of detailed plans and policies; without preparation of final work drawings in advance of construction; without assembling of necessary technical and supervisory personnel; and that as a result of such haste many alterations and changes were made necessary; that personnel and labor difficulties occurred unnecessarily; that costs were greatly and unnecessarily increased; and that waste of time, manpower, money, material, and effort occurred out of all proportion to the operation.

One hundred new trucks were purchased for New York City by the Procurement Division at a cost of \$485,931, and that amount credited toward liquidation of sponsor's pledge, in addition to \$188,387 for parts, gasoline, and oil furnished by sponsor, and after more than a year of use the trucks were reconditioned, largely at the expense of the W. P. A., and all returned to the city without entry of any charge against sponsor's account for their estimated value, and supplying of W. P. A. personnel to the office of the New York City Housing Authority.

In Seattle, Wash., a household-demonstration project was conducted in an exceptionally fine residence. Between February 1, 1938, and October 15, 1939, approximately \$31,000 was spent on this project. In a period of about a year over 1,000 guests were served free lunches. The records also show that there were served free tea parties, buffet lunches, and meals for large groups.

The question of the administrative costs of the W. P. A. is very deceiving. The W. P. A. seems to be proud of its claim that the expenditures for administrative purposes have been low. They point out that administrative costs amounted to only \$295,000,000 out of the total Federal expenditures of nearly \$7,000,000,000 during the first 4½ years. Furthermore, the W. P. A. points out that during the current fiscal year administrative expenses will amount to about \$53,750,000 as compared with \$71,000,000 in the fiscal year 1939. It is encouraging to see that reductions are being made, but it must be remembered that the limitation of \$53,950,000 for administrative expenses this fiscal year was imposed upon the W. P. A. by Congress. Nor should one be deceived by the assertion that the cost of administration of the work-relief program is a small item.

The expenditures reported as administrative by the W. P. A. do not represent all of the costs of administration by any means. In the first place, a great deal of administrative work is done by security and nonsecurity workers assigned to project pay rolls. In every State there is a general project known as the supply fund. It includes such personnel as property officers, supervisors of requisitions, warehouse employees, material and equipment inspectors, mechanics, machinists, bookkeepers, clerks, and so forth. It is actually administrative work, but is not classed as such by the W. P. A. In the second place, a fair share of the sponsor's expenditures go for administrative purposes. And finally, the examination and certification of relief people is generally done for the W. P. A. by State and local relief agencies. This cost should be included to get a fair figure on the total administrative cost of a work-relief program.

That the supply projects are actually administrative units is well demonstrated by what has taken place during the present fiscal year in view of the \$53,950,000 limitation placed upon administrative expenses by Congress. During the 7 months' period, July 1, 1939, to February 1, 1940, more than 8,900 people were terminated from the W. P. A. administrative rolls, of whom 4,224 were subsequently employed on project pay rolls or the supply fund. Of the latter number 2,856 were reemployed on projects, and 1,368 on the supply fund. It is estimated that the average salary of such persons was between \$1,500 and \$1,550 a year.

In New York City alone, 1,179 administrative employees were reemployed, 974 on project pay rolls, and 205 on the supply fund. The investigators discovered that this practice was general in all of the States. Actually the whole supply fund system is a subterfuge to minimize administrative expenses. It obscures the whole picture of administrative cost. If the total cost of administering the W. P. A. work-relief program were actually known its proponents could no longer assert, as they do now, that work relief is cheaper to administer than direct relief.

In Florida there are also notorious cases of use of W. P. A. funds in connection with private enterprise. Over \$40,000 of W. P. A. money has been spent on a golf course at Marianna. The Florida Board of Forestry is the nominal sponsor but a private country club association is the actual sponsor.

The conclusion is inescapable that the administration of W. P. A. has failed. Statutes and rules have been openly violated or secretly circumvented.

The present Administrator has applied himself vigorously to the task to which he has been assigned. I believe he is making a real effort. Many of his problems are problems which he has inherited. It is fair to assume that this is the case insofar as some of his immediate subordinates go. At all events, they are in some instances men of very limited business experience who are unable to contribute materially to the administration of a gigantic organization such as W. P. A. Their executive ability has been confined to social experimentation. To a large degree the conditions which have required correction could hardly have developed on the broad scale that they have if efficient administrative endeavor had characterized the operations of the agency. Suffice it to say that executive ability consists of more than a delight in spending other people's money.

A fair appraisal can lead to but one conclusion. The Administrator can only go so far with the tools he has at hand, and the system which he is called upon to operate. If W. P. A. is a business, then business men, not social theorists, should be running it. But the system itself is fundamentally wrong. Divided responsibility for relief administration has not and will not work. It never will. The Federal Government should get out of the field of direct administration of relief. A coordinated program, providing for State administration, Federal contribution, and such local supervision as will assure real relief to the needy should be adopted. Above all—jobs—jobs in private industry, not relief, should be the goal. Not a bigger and better relief program, but a bigger and better work program is what is sorely needed.

W. P. A. has lived out its usefulness. As a stop-gap it had a part to play. As a permanent establishment it has no place. We cannot afford to indulge in the further privilege of an experimental excursion. Government spending is an economic problem, not a social theory. That spending, I submit, Mr. Speaker, dare not include the waste of funds, the absence of proper supervision, the abuse of authority, the winking at excessive costs, and a general policy which the record establishes has invited incompetence, inefficiency and irresponsibility.

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two short newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

OUR NATIONAL DEFENSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, the newspapers of the country have been acclaiming President Roosevelt for his appeal for additional funds for national defense, particularly as applied to our Army. The President has been in office for 7 years, and the European war has been going on for 9 months before the Commander in Chief discovered the deplorable condition of the Army for purposes of defense. Instead of praising the President, he should be condemned for permitting this condition to develop.

On April 17, 1939, Secretary of War Woodring said, in a speech before the Daughters of the American Revolution at Washington:

I need not say to an audience such as the Daughters of the American Revolution that there has been a military, but not a militaristic, renaissance in the United States since 1933. Under the inspired leadership of our far-seeing Commander in Chief, Franklin D. Roosevelt, there has been reborn an army that constitutes a potent and effective element in our national defense—an army that enjoys the support, the confidence, and the approbation of millions of Americans whose honor, whose homes, and whose freedom it defends and preserves.

Either both the President and Secretary of War were right or wrong at that time. It now develops that we have spent billions of dollars to build up our Army during the past 7 years, and yet it is found to be utterly inadequate for defense purposes. The President and the administration should be held strictly accountable for the huge funds wasted and for deceiving the people into a false sense of security in our Army.

Instead of commendation, the President should be condemned for failing in his duty as Commander in Chief to protect the interests of the United States. Nevertheless, it is the duty of the Republicans in Congress to cast partisanship aside and support all legitimate and necessary expenditures to modernize our Army and equip it adequately with tanks, anti-aircraft guns, and all the new weapons of war. [Applause.]

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by publishing communications from the commissioner of agriculture and the State entomologists of Louisiana relating to the depredations of the white-fringed beetle.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

OUR NATIONAL DEFENSE

Mr. MAY. Mr. Speaker, I ask unanimous consent that I may address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, the gentleman from New York [Mr. FISH] has just pointed out that the President of the United States should be condemned for his neglect in building up the Army. May I remind the gentleman from New York that when we went into the World War we had 87,000 regular troops all told; we had 15 airplanes, 13 of which were training planes, and 2 others were observation planes. When we finished our military undertaking in Europe, in which the gentleman from New York himself was engaged, we came back and demobilized our Army down to a minimum. From that time to this, for 20 long years, the Congress has starved the United States Army, when \$100,000,000 a year, if the gentleman had proposed it, would have built it into a great fighting machine now; but today it is 500 percent stronger than it was when we entered the World War in equipment, personnel, and its ability to defend this country against invasion. In a day or two I shall bring to the floor of this House a measure designed to build up and equip our Army to meet the existing emergency, all on the recommendation of the President, and the gentleman from New York will then have an opportunity to show his good faith by voting for or against the President's proposal to build up and strengthen the Nation's defenses.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, I regret to hear the gentleman from New York [Mr. FISH] attack this administration for not going stronger on preparedness. We are better prepared today than we were at the beginning of the Roosevelt administration.

In my humble opinion, no nation or set of nations could land an army on America's shores of sufficient size or strength to give us trouble today.

I was here when General "Billie" Mitchell put on his demonstration back during a Republican administration. He showed just what could be done with bombing planes. He gave us a demonstration that aroused Europe, but did not arouse the administration then in power. He showed that naval vessels could be sunk by bombs from the air, and yet "Billie" Mitchell was demoted. He died of a broken heart. Today the country is waking up to the fact that he was telling

the truth. I knew General Mitchell well. He was one of the most lovable characters I have ever known, and one of the ablest aviators of all time. We should have taken his advice and built up our air force long ago.

Last night I listened to the address of Colonel Lindbergh. I agree with him that we should have a definite plan and should prepare to defend this country against the world.

Instead of getting into a political squabble here, let us work together and make America so strong that no power or set of powers can ever land on American shores. Let us keep all enemies out of this country and keep our boys off of foreign soil. [Applause.]

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks by including articles from the Washington Star and the National Grange on the subject of the Walter-Logan bill.

The SPEAKER. Is there objection?

There was no objection.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

WAPATO SCHOOL DISTRICT, YAKIMA COUNTY, WASH.

The Clerk called the bill (H. R. 3824) to provide funds for cooperation with Wapato School District No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

TIDAL POWER, PASSAMAQUODDY BAY

The Clerk called Senate Joint Resolution 57, authorizing the Secretary of War to cause a completion of surveys, test borings, and foundation investigations to be made to determine the advisability and cost of putting in a small experimental plant for development of tidal power in the waters in and about Passamaquoddy Bay, the cost thereof to be paid from appropriations heretofore or hereafter made for such examinations.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

OSAGE TRIBE OF INDIANS

The Clerk called the bill (H. R. 6314) authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States.

The SPEAKER. Is there objection?

Mr. COCHRAN. Mr. Speaker, I object to the consideration of the bill.

NATIONAL MISSISSIPPI RIVER PARKWAY

The Clerk called the bill (H. R. 3759) to authorize a National Mississippi River Parkway and matters relating thereto.

The SPEAKER. Is there objection?

Mr. RICH, Mr. COSTELLO, and Mr. TABER objected.

NATIONAL LAND POLICY

The Clerk called the bill (H. R. 1675) to establish a national land policy, and to provide homesteads free of debt for actual farm families.

The SPEAKER. Is there objection?

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

CLAIMS OF KIOWA, COMANCHE, AND APACHE INDIANS IN OKLAHOMA

The Clerk called House Joint Resolution 290, referring the claims of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma to the Court of Claims for finding of fact and report to Congress.

The SPEAKER. Is there objection?

Mr. COCHRAN, Mr. RICH, and Mr. TABER objected.

TOLL BRIDGE ACROSS THE MISSOURI RIVER, OMAHA, NEBR.

The Clerk called the bill (H. R. 7069) authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

The SPEAKER. Is there objection?

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AMENDMENT OF CROP-LOAN LAW

The Clerk called the bill (H. R. 7878) to amend the crop-loan law relating to the lien imposed thereunder, and for other purposes.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PAYMENT TO DELAWARE TRIBE OF INDIANS

The Clerk called the bill (H. R. 6535) authorizing an appropriation for payment to the Delaware Tribe of Indians on account of permanent annuities under treaty provisions.

The SPEAKER. Is there objection?

Mr. RICH, Mr. SPRINGER, and Mr. COSTELLO objected.

ADMISSION TO CITIZENSHIP OF CERTAIN ALIENS

The Clerk called the next bill, H. R. 6381, for the admission to citizenship of aliens who came into this country prior to February 5, 1917.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. LESINSKI. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER, Mr. RICH, and Mr. SPRINGER objected.

PROVIDING MORE PERMANENT TENURE FOR PERSONS CARRYING MAIL ON STAR ROUTES

The Clerk called the next bill, S. 1214, to provide for a more permanent tenure for persons carrying the mail on star routes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. BURCH. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I object.

Mr. SPRINGER. Mr. Speaker, I object.

The SPEAKER. Only two objections are heard. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 3951 of the Revised Statutes, as amended by the act of August 11, 1876 (amending secs. 246 and 251 of the act of June 8, 1872) (U. S. C., 1934 ed., title 39, sec. 434), is hereby amended by striking out the last sentence of such section and inserting in lieu thereof the following: "In cases of regular contracts for carrying the mail upon star routes, the contract may, in the discretion of the Postmaster General, and in the interests of the postal service, be renewed for single periods of 4 years from date of expiration, at the rate prevailing at the end of the contract term, and like renewals of such contracts may thereafter be made as often as the interests of the service may require. Any regular contract may be continued in force beyond its express terms for a period not exceeding 6 months, until a new contract with the same or another contractor shall be made by the Postmaster General by regular advertisement as required by existing law."

(b) That section 3951 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 39, sec. 434), is hereby amended by the addition of the following:

"The Postmaster General may, in his discretion and under such regulations as he may prescribe, allow additional compensation to a star-route contractor for necessary increased travel caused by obstruction of roads, destruction of bridges, discontinuance of ferries, or any other cause occurring during the contract term, but such additional compensation allowed shall not be proportionately greater than the rate established by the contract involved: *Provided*, That the provisions of section 3960 of the Revised Statutes (U. S. C., title 39, sec. 440) that no compensation shall be paid for additional service in carrying the mail until such additional service is ordered, the sum to be allowed therefor to be expressed in the order and entered upon the books of the Department, and that no compensation shall be paid for any additional regular service rendered before the issuing of such order, shall not apply to any service authorized under this paragraph."

"The Postmaster General may, in his discretion and in the interest of the Postal Service, readvertise and award new contracts for the purpose of releasing contractors and their sureties under the following conditions: (a) Where a change is ordered in the service involving a material increase or decrease in the amount of service required to such extent as to impose undue hardship on the contractor; (b) where an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted, necessitating larger capacity equipment to maintain the service; (c) where a change in schedule is ordered that will necessitate the contractor being away from the initial terminal an excessively longer or an excessively shorter period than was required in the advertised schedule."

SEC. 2. As used in sections 3945 and 3946 of the Revised Statutes (U. S. C., 1934 ed., title 39, secs. 426 and 427) and in section 8 of the act entitled "An act to amend the act approved June 25, 1910, authorizing the Postal Savings System, and for other purposes," approved May 18, 1916, as amended (U. S. C., 1934 ed., title 39, sec. 344), the term "bidder" shall include a contractor who is an applicant for renewal of his contract under section 3951 of the Revised Statutes as amended.

No proposal for a contract for star-route service shall be considered unless the bidder is a legal resident of the county or counties traversed by the roads over which the mails are to be carried, or a legal resident within the counties adjoining such county or counties; except that proposals for carrying the mail tendered by firms, companies, or corporations shall be considered: *Provided*, That such firms, companies, or corporations are actually engaged in business within the counties in which individuals are herein restricted as to residence: *And provided further*, That the term "county", as used herein, shall include parish or other similar primary subdivisions of a State.

With the following committee amendments:

Page 1, line 3, strike out the balance of page 1 and down to and including line 9, on page 2;

Page 2, line 10, strike out "(b)";

Page 3, line 3, strike out the balance of page 3 and lines 1, 2, and 3, on page 4, and insert:

"The Postmaster General may, in his discretion and in the interest of the Postal Service, readvertise and award new contracts for the purpose of releasing contractors and their sureties under the following conditions: (a) Where a change is ordered in the Service involving a material increase or decrease in the amount of service required to such extent as to impose undue hardship on the contractor; (b) where an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted, necessitating larger capacity equipment to maintain the service; (c) where a change in schedule is ordered that will necessitate the contractor being away from the initial terminal an excessively longer or an excessively shorter period than was required in the advertised schedule; (d) where it is found after full investigation that the compensation of such contractors is wholly inadequate and that the continuation of the contract would impose undue hardship upon the contractor: *Provided*, That provision (d) shall be effective only upon the giving by the contractor of 90 days' advance notice of his desire to be released: *Provided further*, That such contractor shall waive the 1 month's extra pay authorized by law where contracts are canceled under section (d)."

"Sec. 2. Section 1 of the act of July 26, 1892 (27 Stat. 268; title 39, sec. 422, U. S. C.), is amended to read as follows:

"After providing by general advertisement for the transportation of the mails in any State or Territory as authorized by law, the Postmaster General may secure any mail service that may become necessary before the next general advertisement for said State or Territory by posting notices, for a period of not less than 10 days, in the post offices at the termini of any route to be let, and upon a bulletin board in the Post Office Department, inviting proposals in such form and with such guaranty as may be prescribed by the Postmaster General, for the performance of the proposed service. The contract for such service shall be made to run to the end of the contract term under the general advertisement, shall be made with the lowest responsible bidder whose proposal is in due form, and who, under the law, is eligible as a bidder for such postal service."

"Sec. 3. Section 3949 of the Revised Statutes, as amended (title 39, sec. 429, U. S. C.), is amended to read as follows:

"All contracts for carrying the mail shall be in the name of the United States and shall be awarded to the lowest responsible bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement. Such contracts shall require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has wilfully or negligently failed to perform a former contract."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPENSATION OF SPECIAL COUNSEL FOR UNITED STATES

The Clerk called the next bill, H. R. 4366, to authorize the payment of additional compensation to special assistants to the Attorney General in the case of United States against Doheny executors.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, the minority report has not been filed in connection with this bill. For that reason I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

APPROPRIATION FOR RELIEF OF NEEDY INDIANS

The Clerk called the next bill, H. R. 8937, to authorize an appropriation for the relief of ill-clothed, ill-fed, and ill-housed needy American Indians through the utilization of surplus American agricultural and other commodities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, I wish to state that this bill, in addition to providing clothing and food for needy Indians, also provides that the Indian Commissioner be given funds with which to purchase for needy Indians such things as milk cows, work horses, and farm machinery, to enable the Indians to make a living for themselves so that they will not be asking for relief from the United States Government.

I wish to make that statement in addition to the statement I have heretofore made concerning what this bill is about.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that the Committee on Indian Affairs held extensive hearings, and we found that many thousands of our American Indians did not even have canned milk for their children; that they did not have enough to eat; that at 40 below zero Indian women were living in tents and giving birth to children in tents? Does not the testimony also reveal that there was no opposition to this bill which was reported out by a unanimous vote of the Committee on Indian Affairs? We believe that charity begins at home and the American Indians should have relief and should not be permitted to starve as they have been starving and should not be permitted to freeze as they have been freezing, and the poor old Indians should not have to eat the flesh of dogs, as the testimony revealed some of them had to do in order that they might not starve to death.

Mr. O'CONNOR. Yes.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. RICH. Is it not a fact that the Indian Bureau came before the Congress and asked for money to take care of every tribe of Indians and give them everything that was necessary for them? If that is the case, why must you come in with a special bill for a particular tribe, when the Indian Bureau looks after all these Indian tribes?

Mr. O'CONNOR. I may say to the gentleman that this bill applies to all Indians in all the tribes throughout the United States. I wish also to state that Commissioner Collier came before our Committee on Indian Affairs and testified it was necessary to pass this bill to enable the Indians to have the necessary equipment, such as livestock and farm machinery, as well as personal equipment, such as bedding, which the gentleman from Wisconsin [Mr. SCHAFER] told you about.

Mr. RICH. But they made a request of the Indian Bureau for the funds necessary to make these purchases for all these tribes that they thought proper.

Mr. O'CONNOR. I will say that the amount which the committee appropriated will not touch the case at all. It would not even start.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that this bill was the joint product of the Republicans and Democrats on the Indian Affairs Committee, and it was not introduced directly or indirectly at the request of the Indian Bureau?

Mr. O'CONNOR. That is correct. It was practically a committee bill.

Mr. SCHAFER of Wisconsin. I congratulate and commend the gentleman from Montana [Mr. O'CONNOR] for introducing this bill. I am proud that the committee after most careful consideration reported it favorably with a unanimous vote. All of our American Indians should be deeply grateful to the gentleman from Montana, who has their welfare close to his heart. No Member of Congress devotes more time and energy to our Indian problems and their constructive solution than does the gentleman from Montana. After the bill had been introduced and the testimony had been presented, the Indian Bureau came down and appeared in favor of this bill to take care of our ill-fed, ill-clothed, and ill-housed needy American Indians. That is all this bill does. I hope my Republican colleagues will not object to this bill, particularly those who have been so liberal to people in foreign lands.

Mr. RICH. Well, we want to conserve the Indians, but we are not going to raid the Treasury for anybody. We have not been in the habit of doing that.

Mr. SCHAFER of Wisconsin. I recall hundred-million-dollar hand-outs through the Export-Import Bank to foreign nations, and I recall many-billion-dollar hand-outs to foreigners, paying them \$35 an ounce for \$12,000,000,000 worth of gold which they produce at a cost of about \$15 an ounce. I also recall the purchase of more than a billion dollars' worth of foreign silver at more than double its actual value.

Mr. RICH. The gentleman is not accusing me of that, is he?

Mr. SCHAFER of Wisconsin. No. The gentleman from Pennsylvania practices economy as well as talks about it. I am thinking of some others who are great economy experts when it comes to properly caring for our needy American Indians but forget all about economy when large hand-outs are given people in foreign lands.

Mr. O'CONNOR. Let me state, Mr. Speaker, that the Appropriations Committee allotment for taking care of the Indians would not take care of 5 percent of the needy. This bill does not apply to one tribe, it applies to all Indians throughout the United States.

The gentleman from Michigan, and others, have complained about this bill being taken up on the Consent Calendar. I wish to call to the attention of the Members of the House a little of the history of Indian legislation, or attempted legislation, since I have been a member of this body.

First, I desire to call to the attention of the Members of the House the membership of the Committee on Indian Affairs. The members are as follows: WILL ROGERS, of Oklahoma; WILBURN CARTWRIGHT, of Oklahoma; JOE L. SMITH, of West Virginia; SAMUEL DICKSTEIN, of New York; KNUTE HILL, of Washington; JOHN R. MURDOCK, of Arizona; COMPTON I.

WHITE, of Idaho; MARTIN F. SMITH, of Washington; LANS-DALE G. SASSER, of Maryland; BERNARD J. GEHRMANN, of Wisconsin; R. T. BUCKLER, of Minnesota; ANTHONY J. DIMOND, of Alaska; FRED C. GILCHRIST, of Iowa; USHER L. BURDICK, of North Dakota; FRED J. DOUGLAS, of New York; JOHN C. SCHAFER, of Wisconsin; FREDERICK C. SMITH, of Ohio; KARL E. MUNDT, of South Dakota; CARL T. CURTIS, of Nebraska; and myself.

There is no more sincere Member of this House than the honorable chairman of this committee, WILL ROGERS, of Oklahoma. This committee thoroughly examines every bill that is presented to it before it votes to act thereon; so bills coming from this committee should be given serious consideration by the House.

In the second place, it seems impossible to secure a rule from the Rules Committee for a bill affecting the Indians' rights. The distinguished chairman of the Indian Affairs Committee has asked for a rule on two different bills which have been passed out by the committee and I myself have asked for a rule on these same bills, but no hearing thereon has been had and no rule has been given. Therefore, the only time that a bill on Indian affairs can be called before the House is on what is known as Calendar Wednesday. I have been a Member of Congress since January 1, 1937, and since that time the Committee on Indian Affairs has had the call four different times. I doubt if there has been to exceed five controversial Indian bills passed by the House since January 1, 1937, on Calendar Wednesday. It seems from the moment a bill on Indian affairs is called before the House on Calendar Wednesday that filibustering is indulged in until the House adjourns, and usually with no results. Now in being unable to secure action on an Indian bill by the House in the usual and parliamentary way the next best we can do is to try to secure the passage of bills by unanimous consent, which leaves it up to one or three Members of the House to block the passage of such bills. I feel confident that if the Members of the House were made acquainted with the real situation they would feel more like cooperating to give these people a chance to have their complaints heard. We—when I say "we" I mean the Government of the United States—subjugated the Indian and imposed upon him involuntarily the relationship of guardian and ward; therefore it is up to the Congress to treat the Indian fairly. The Congress is the Indian's only forum to which he may present his case. If the Congress does not give him a fair deal justice is denied him. Are we going to permit a race of people numbering in the neighborhood of 300,000 souls to be denied a just and fair hearing before the only forum to which their claims may be presented? I regret that I am compelled at times to try to secure the passage of bills affecting the rights of the Indians which are of tremendous importance to them and of little to the white man, by unanimous consent, but under the unfortunate conditions existing as heretofore outlined, that seems to be our only course. I have the utmost faith and confidence in the Members of the House in acting justly if they have the facts before them. Comparatively few Members come from States where Indians reside, and it is with great difficulty that we are able to command the necessary support on the floor of the House for Indian bills. I regret that the foregoing is the situation.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. BURDICK. I object to the bill going over.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, approximately \$10,000,000 is involved, entirely too much to be passed by unanimous consent. For this reason I object to consideration of the bill on the Consent Calendar.

CHANGING TIME OF PRESIDENTIAL AND CONGRESSIONAL ELECTION

The Clerk called the next bill, H. R. 8700, to change the time of the appointment of Presidential electors, and the election of Senators and Representatives in Congress.

The SPEAKER pro tempore (Mr. NICHOLS). Is there objection to the present consideration of this bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I think we should have some further discussion of this bill. If the gentleman from Texas, or somebody from the Committee on the Judiciary is present and wants me to yield to him for that purpose, I shall be pleased to, but if there is not to be any discussion I will ask unanimous consent that the bill be passed over without prejudice.

Mr. HOBBS. Mr. Speaker, reserving the right to object, the gentleman has not obtained the information he desired since the last time this bill was called on the Calendar?

Mr. WOLCOTT. I do not know that I desire any further information, but this is probably one of the most important bills which we have had on the calendar this year, and there is just something a little repulsive to me about passing this bill by unanimous consent. I have not any particular objection to the bill myself, but I do not want it to be thought that we are passing bills here without consideration, at least more consideration than we have given this bill, which will necessitate a change in the election machinery of all of our States and Territories.

As I have stated on probably two other occasions this bill is going to necessitate a change in the election laws of every State in the Union and our Territories. To be sure they have ample time under the bill to make those changes, but it is far reaching. For example, in the State of Michigan it will throw the primaries back at least a month into the very hot and sometimes disagreeable time of the year. We should give consideration to whether we want to put the State of Michigan in the position where it will have to change the date of its election to a time of the year which is not feasible. An opportunity should be afforded for the Michigan delegation to be heard on this. I am using Michigan merely as an example. I think the delegations from each State should have an opportunity to discuss this bill in the light of its effect upon their own State laws. As I say, there is something repulsive to me about passing a bill of this magnitude by unanimous consent. Have we no more interest in the effect this bill will have on our electorate and on our election machinery than to let it go by here without giving more consideration to it more than we have? We are sent down here to represent a constituency which is directly involved in this bill. I am not so sure but that it is my duty, even though the rest of this House might not consider it its duty, to insist that we have some debate on this bill before we enact it.

COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. WOLCOTT. I yield.

Mr. MAY. Mr. Speaker, I ask unanimous consent that the House Committee on Military Affairs may sit during the sessions of the House this week.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask the gentleman what bill they expect to take up?

Mr. MAY. Yes; I shall be pleased to inform the gentleman, and would have done that without the reserving of objection. We are considering now the national-defense proposal, and the committee proposes to meet at 1:30 o'clock; rather, it has adjourned until 1:30 o'clock, and I wanted permission of the House for the committee to sit during the sessions of the House this week.

Mr. WOLCOTT. Have bills been introduced yet?

Mr. MAY. Yes; a bill was introduced and printed last week.

Mr. WOLCOTT. Can the gentleman give us the number of the bill which was introduced and is now being considered?

Mr. MAY. If I remember correctly, it is H. R. 9632.

Mr. WOLCOTT. Just one bill?

Mr. MAY. And I may say to the gentleman from Michigan that there is very little in the bill so far as authorization is concerned.

The committee finds this morning that slight additional legislation is necessary. The Senate Committee on Appro-

priations has concluded in their own minds—erroneously, I think—that they can appropriate without additional authority. There are some minor things to be considered, such as an extension of the Air Corps personnel.

Mr. WOLCOTT. Can the gentleman advise us how extended the hearings might be?

Mr. MAY. I think they will be concluded in a couple of hours this afternoon, or not later than tomorrow afternoon.

Mr. WOLCOTT. When does the gentleman expect to bring the bill on the floor?

Mr. MAY. I hope to do that by Thursday.

Mr. RICH. Mr. Speaker, reserving the right to object, the gentleman spoke about appropriations. It is not the intent of this committee to bring out a bill authorizing the expenditure of great sums of money, wherein you give \$200,000,000 to the President to do with as he sees fit, is it?

Mr. MAY. That is a question that our committee wants to inquire into, if the gentleman wishes to know.

Mr. RICH. This committee certainly is not going to bring in a bill of that character?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, how long does the gentleman want for these hearings? In other words, what is the request?

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. MAY] asks unanimous consent that the Committee on Military Affairs may be permitted to sit during the sessions of the House this week. Is there objection?

There was no objection.

CHANGING THE TIME OF PRESIDENTIAL AND CONGRESSIONAL ELECTIONS

Mr. HOBBS. Mr. Speaker, may I say to the gentleman that this bill has had very careful consideration by our committee, and inasmuch as the only thing it does is to save time which might be of vital importance, in certain cases, by changing the machinery slightly, and inasmuch, further, as the States will have ample opportunity and time to consider what modus operandi they wish to set up, it is earnestly hoped that the distinguished gentleman will withdraw his request so that this bill may be passed.

Mr. WOLCOTT. I may say that I do not think the Members of the House realize the far-reaching effects of this bill because they are not even now listening to the gentleman's explanation. Under these circumstances we should have a definite time set for the consideration of it in order that all of us may have the opportunity to study it in the light of its effect on our election machinery.

Mr. CHURCH. Mr. Speaker, I ask for the regular order.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, in view of the foregoing, I am forced to object.

Mr. BOLLES. Mr. Speaker, I object.

PROCUREMENT WITHOUT ADVERTISING

The Clerk called the next bill, H. R. 8152, providing for procurements without advertising.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. COSTELLO]?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, the purpose of this bill is to prevent Government agencies from spending the appropriations that we provide for supplies without advertising. At present purchasing officers can, if they desire, in dozens of cases, purchase supplies amounting to less than \$100, to the purchase of supplies with no limit whatsoever. I realize that many of the purchasing agents and Government officials have already been to Members of Congress to protect this bureau and that bureau, this corporation and that corporation, and I realize,

also, that the bill is not going to be passed by unanimous consent; therefore, in order to force an objection for consideration of the bill from the gentleman, I object to his request for the bill to go over without prejudice.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO. Mr. Speaker, reserving the right to object, I believe this bill does have a serious effect upon the procurement of various articles at the present time by the War Department; for example, the Medical Branch alone, out of possibly 4,000 items which they procure, only 139 are procured under the provisions of existing law, but those articles are procured in cases of need at a time of necessity.

You will also run into a situation where in the construction of the locks down in the Panama Canal, if this bill becomes law and any machinery breaks down, on which it is necessary to have immediate repairs that might exceed the cost of \$100, they would have to wait until bids were procured for the performance of that repair work. As a result, the construction work may be unnecessarily delayed.

At the present time the law permits certain classes of purchases without advertising, only after receiving specific authorization of the Secretary of War. The placing of additional restrictions upon the methods which have been employed by the Department over a long period of time would undoubtedly occasion in many instances a great increase in cost as well as occasion enumerable delays which might prove detrimental.

Among existing authorities which would be harmfully affected by the proposed bill are:

First. The act of June 12, 1906 (34 Stat. 258; 10 U. S. C. 1205), which authorizes the procurement of supplies for the Army in the open market, in the manner common among businessmen, in amounts not exceeding \$500, but requires report to the Secretary of War for approval of each such purchase exceeding \$100. The proposed bill would reduce the present authority from \$500 to \$100, which is not adequate to meet the exigencies of the military service. The War Department has always insisted that, when the authority granted by this law is utilized, such competition must nevertheless be secured as may reasonably be had in the circumstances, either by written informal quotations or by the securing of telephone or oral competitive bids. In general, there is thus equal competition in the procurement of items referred to as if the solicitation of bids were formal, but the expense of making purchases is estimated to be reduced, through the elimination of red tape, by some 90 percent.

Frequently the interests of the service require the purchase of supplies in amounts exceeding \$100, where time will not permit the delay incident to formal advertising and yet where the circumstances are not such as to constitute a public exigency under a narrow construction. Such procurements are common in connection with troop movements, mass air flights, maneuvers, and other military training, where it is necessary to procure supplies or services required to meet urgent and unpredictable demands. The same thing is true of procurements of the Army Corps of Engineers on river, harbor, and flood-control work, where the proposed new restrictions would adversely affect the cost and progress of such work. In the Quartermaster Corps alone during the fiscal year 1938 the money value of open-market purchases was only 4.54 percent of the total expended. However, nearly 49,000 open-market purchases were made, or approximately 50 percent of the total number of purchase transactions. Of the open-market purchases, approximately 75 percent exceeded \$100 in value. The limitation of \$100 placed by the proposed bill would require the issuing of some 37,000 additional formal-bid requests by the Quartermaster Corps. The resulting interference with the conduct of duties of quartermasters at posts and in the field is apparent, and when extended to the other supply branches of the Army would obviously cost the Government substantial sums of money for such advertising and would require the services of additional commissioned and civilian personnel.

Second. The act of February 27, 1893 (27 Stat. 485; 10 U. S. C. 1203), which exempts the purchase of medicines and medical supplies for the Army from the requirement of advertising before purchase. Such supplies are normally bought in quantities exceeding \$500, but only 139 items—out of more than 4,000 standard items in the medical department's supply catalog and an almost equal number of items not listed as standard—are actually purchased without advertising. Of these 139 items, only 2 are secured direct from manufacturers; in the case of the other 137 items bids are informally solicited from reputable manufacturers, thereby obtaining competition but at the same time assuring for the sick of the Army the acquisition of the purest medicines obtainable. To withdraw the existing authority of law would require the advance written approval of the Secretary of War in each purchase, with the inevitable delay entailed, or expose the military forces of the United States to the hazard of being treated at times with valueless, or even poisonous, medicines. Instances actually have occurred in the past in which deaths resulted from the necessity of making purchases of medicines from contractors without sufficient technical knowledge, trained employees, or adequate equipment.

Third. The act of March 7, 1928 (45 Stat. 245; 10 U. S. C. 1206a), which authorizes the purchase of horses and mules in the open market. Ever since the World War the remount service has been permitted to purchase all remounts for the Army in the open market at an average price fixed by the Government. This authority was considered essential in order that purchases might be made from farmers and breeders who patronize the 700 stallions now maintained by the remount service in 45 States of the Union. The proposed law would require specific written advance authorization by the Secretary of War when the amount is in excess of \$500. Under this provision not more than three animals at the present average price of \$160 could be procured at the same time from any one owner without such specific authorization. Similar authorization would be required for the purchase of a stallion, whose purchase price is in excess of \$500. This restriction would be a serious interference with the present method of procurement, as it is never known from day to day when or where suitable animals will be found nor the number which will be offered to the Army under one ownership.

Fourth. The act of March 2, 1901 (31 Stat. 905; 10 U. S. C. 1201), which, while providing for competition in general, permits purchase in the open market in cases of emergency and also in cases where it is impracticable to secure competition. To nullify the authority, to purchase without advertising in cases where competition is impracticable—if this is intended as a result of the proposed bill—would be a useless gesture and would materially delay procurement in such cases, since it is obvious that numerous articles are proprietary in their nature or patented and can only be procured from one source.

I object to the present consideration of the bill, and I ask unanimous consent to revise and extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. COSTELLO]?

There was no objection.

FILLING OF VACANCIES IN THE POSITION OF ASSISTANT POSTMASTER

The Clerk called the next bill, H. R. 8171, to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, there seems to be a great deal of controversy in respect to this bill. The Postmaster General has advised against it, and for that reason I ask unanimous consent that it go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

WITHDRAWAL OF NATIONAL FOREST LANDS

The Clerk called the next bill, S. 229, to authorize the withdrawal of national-forest land for the protection of watersheds from which water is obtained for municipalities, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, this bill in many respects is desirable, but it could take away from the counties revenues and other interests that they may have in certain forms of public land without any voice in the matter. To correct that I have prepared an amendment which I have submitted to the gentleman from Mississippi [Mr. DOXEY]. With the assurance that the amendment is not objectionable, I have no objection to the consideration of the bill.

Mr. DOXEY. Mr. Speaker, in reply to the gentleman from South Dakota, may I say that so far as I am personally concerned, I have no objection to the amendment. This is a bill that Senator McNARY introduced in the Senate. It passed the Senate, came to the House, was referred to the Committee on Agriculture, and in turn referred to the subcommittee of which I am chairman. I reported the bill. I think there is a great deal of merit in it. All it does is to relieve the land within the national forests from campers, trespassers, and prospectors, and prevent certain acts from being committed in the watersheds of the national forests that might adversely affect the water supply of the cities they serve. If you want the cities to enter into an agreement with the Secretary of Agriculture and the Secretary of the Interior, this bill as amended perhaps should be passed. I could find no objection to the amendment.

Mr. CASE of South Dakota. Mr. Speaker, I may say that the amendment I have prepared was discussed with certain officials of the United States Forest Service and I feel it is satisfactory to them. I have no objection to the consideration of the bill.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object to ask the gentleman to explain the bill a little more fully. I am not objecting to the consideration of the bill. I want to know exactly what is intended to be accomplished by the passage of this bill.

Mr. DOXEY. Briefly, it is just this. There are about 88 cities in the West that mainly depend for their water supply on the watersheds on lands now lying within the confines of national forests. Under the rules and regulations covering national forests at the present time, anyone can go into these forests and reserve mineral rights and endeavor to use them, and campers can also go there, so that the water supply in some instances is found to be in danger of being polluted. As long as this land is within a national forest no rigid jurisdiction can be exercised over the pollution of these water supplies. Authority is given in this bill to withdraw from the national forests the lands within these watersheds.

The Government and the cities whose water is provided from these watersheds got together, and the representatives of the cities said, "If we could get that land out of the national forests, we could put restrictions on it different from what would be the case if the land remained within the national forests, because rules and regulations cannot be applied to just a portion of the national forests, they must be applied to all the land in them." So the Secretary of Agriculture and the Secretary of the Interior got together with the representatives of cities like Denver, Portland, and Los Angeles, and said, "We will release this land from the national forests so that supervision can be more exacting, and you will pay us what reasonable revenue the Government is entitled to." They all want this legislation, I understand.

Mr. O'CONNOR. The purpose of the bill, then, is to take the watersheds serving the cities to which reference has been made from under the jurisdiction of the Forest Service?

Mr. DOXEY. The purpose is to exempt these lands from the regulations that apply to the national forests at present.

The land will still be under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior.

Mr. O'CONNOR. To a limited extent.

Mr. DOXEY. Certainly.

Mr. O'CONNOR. Not as to the regulation of the use of the water, and so forth?

Mr. DOXEY. No. That is entirely a matter that will be handled by the cities, cooperating with Government authorities.

Mr. O'CONNOR. I do not object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever a municipality obtains its water supply from a national forest and has entered into a cooperative agreement with the Secretary of Agriculture for the protection of the watershed within the national forest from which the water is secured, the President of the United States may, and he is hereby, authorized, upon application by said municipality, approved by the Secretary of Agriculture, to reserve and set aside from all forms of location, entry, or appropriation any national-forest lands, which are covered by such cooperative agreement, subject, however, to valid, existing rights and claims, and such reservation shall remain in force until revoked by the President or by an act of Congress: *Provided*, That nothing herein shall affect the power of the Secretary of the Interior to withdraw and utilize withdrawn lands under the Federal reclamation laws: *And provided further*, That the President, upon recommendation of the Secretaries of the Interior and Agriculture, may, by Executive order, when in his judgment the public interest would best be served thereby, and after reasonable notice has been given through the Department of the Interior, restore any of the lands so withdrawn to appropriation under an applicable public-land law.

Sec. 2. Lands withdrawn under the provisions of this act shall be administered by the Secretary of Agriculture under such agreements for the protection of the watershed as he may make with the municipality concerned, and the Secretary of Agriculture is hereby authorized, in addition to the rules and regulations adopted for the administration of the national forests, to adopt and prescribe such further rules and regulations as he considers necessary to effect the adequate protection of the watershed, including a rule or regulation forbidding persons other than forest officers and representatives of the municipality from going on the lands so reserved or making any use whatever thereof.

Sec. 3. Whenever national-forest lands are withdrawn under this act, and the municipality concerned objects to the utilization of the timber or other resources of lands withdrawn, and the Secretary of Agriculture agrees to withhold such resources from utilization, said municipality shall pay to the Forest Service annually an amount which the Secretary of Agriculture shall determine is necessary to reimburse the United States for the loss of net annual revenues which would be derived from the resources so withheld from disposition.

Sec. 4. Any violation of the regulations issued under this act shall be punished as is provided in section 50 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L. 1098).

With the following committee amendment:

Page 1, line 9, strike out "Secretary of Agriculture" and insert "Secretaries of Agriculture and the Interior."

The committee amendment was agreed to.

Mr. CASE of South Dakota. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 1, line 9, after the word "municipality", insert "endorsed by the governing board of the county or counties in which the lands concerned are located, and."

Mr. CASE of South Dakota. Mr. Speaker, this amendment to require the concurrence of the counties concerned as well as the cities is offered in the same spirit as the committee amendment requiring the concurrence of both the Secretaries of Agriculture and the Interior. It seeks to give a voice to all interested parties. The amendment simply provides that the application shall be endorsed by the governing board of the county or counties in which the land is located. This will give them an opportunity to protect their interests, and they do have a vital interest in the forest lands within their boundaries. I know of no objection to the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENSIONS FOR CERTAIN CHILDREN

The Clerk called the next bill, H. R. 2874, to provide that pension otherwise payable for a child of a deceased veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall continue until the child reaches the age of 21 where he is attending accredited school, and for other purposes.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. SMITH of Washington. I object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO. I object to the present consideration of the bill, Mr. Speaker.

The SPEAKER pro tempore. Three objections are required.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That pension otherwise payable to or for a child of a deceased veteran of the War with Spain, including the Boxer Rebellion and the Philippine Insurrection, under the laws reenacted by Public Law No. 269, Seventy-fourth Congress, approved August 13, 1935, shall be continued after such child becomes 16 years of age and until such child marries or becomes 18 years of age, except that payment of pension shall be further continued after the age of 18 years and until completion of education or training (but not after such child reaches the age of 21 years) to or for any unmarried child who is or may hereafter be pursuing a course of instruction at any school, college, academy, seminary, technical institute, or university, particularly designated by him and approved by the Administrator, which shall have agreed to report to the Administrator the termination of attendance of such child, and if any such institution of learning fails to make such report promptly the approval shall be withdrawn: *Provided*, That in case a minor child is insane, idiotic, or otherwise mentally or physically helpless the pension shall continue until marriage or death, but only during the period of such disability.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEFINING "GRATUITIES"—FIVE CIVILIZED TRIBES

The Clerk called the joint resolution (S. J. Res. 101) defining and classifying gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. COCHRAN. Reserving the right to object, Mr. Speaker, this resolution is as dangerous a piece of legislation as I have ever seen come from the Indian Affairs Committee. The purpose of the resolution is to define and classify gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians.

Just to give you an idea of the amount involved, I list 25 cases now pending before the Court of Claims that would be affected by this legislation if it ever became a law. In 10 of the cases the petitions do not set out any specific amount, but in the others the amounts are listed. I also include the estimated amount of interest.

A list of suits pending in the Court of Claims by the Five Civilized Tribes as of Apr. 30, 1940

| Number of case | Plaintiff tribe | Amount claimed ¹ | Estimated interest to Jan. 1, 1940 ² | Status of case |
|----------------|-----------------|-----------------------------|---|-----------------------------|
| J-8 | Cherokee | \$8,915,160.20 | \$1,887,438.20 | Awaiting plaintiff's brief. |
| L-46 | do | 669,793.05 | 435,365.58 | Do. |
| L-267 | do | 319,584.89 | 541,877.20 | Do. |
| L-268 | do | 407,655.06 | 796,246.11 | Do. |
| K-334 | Chickasaw | 42,798.45 | 136,954.88 | Do. |
| K-336 | do | | | Do. |
| K-544 | do | 1,765,061.72 | 2,138,562.64 | Do. |
| K-137 | Choctaw | 1,000,000.00 | | Do. |
| K-281 | do | 1,162,000.00 | | Do. |

¹ In the instances where no amount claimed is shown, plaintiff has failed to indicate it in his petition.

² In calculating interest the rate has been used which plaintiff has specified in his petition. Where plaintiff has failed to specify a particular rate but has demanded interest in his petition, interest has been estimated on the basis of 5 percent. Where plaintiff has failed to demand interest in his petition, no interest has been estimated.

A list of suits pending in the Court of Claims by the Five Civilized Tribes as of Apr. 30, 1940—Continued

| Number of case | Plaintiff tribe | Amount claimed | Estimated interest to Jan. 1, 1940 | Status of case |
|----------------|------------------------|----------------|------------------------------------|--|
| H-37B... | Choctaw and Chickasaw. | \$2,883,620.00 | \$4,037,068.00 | Awaiting plaintiff's brief. |
| J-620..... | do | 3,839,789.00 | 6,527,641.30 | Do. |
| F-369..... | Creek | | | Do. |
| F-373..... | do | | | Awaiting plaintiff's answer to demurrer. |
| L-133..... | do | | | Awaiting plaintiff's brief. |
| L-137..... | do | | | Do. |
| L-205..... | do | | | Do. |
| L-206..... | do | 270,283.71 | 675,709.50 | Do. |
| L-234..... | do | 150,000,000.00 | 277,500,000.00 | Do. |
| L-51..... | Seminole. | 1,747,447.50 | 1,454,026.71 | Awaiting decision, Court of Claims. |
| L-88..... | do | | | Awaiting plaintiff's brief. |
| L-132..... | do | | | Do. |
| L-207..... | do | | | Awaiting decision, Court of Claims. |
| L-208..... | do | 250,000.00 | 600,000.00 | Awaiting defendant's brief. |
| L-209..... | do | 226,294.20 | 716,382.50 | Awaiting plaintiff's brief. |
| L-233..... | do | | | Do. |

I am going to quote briefly from the report of the Comptroller General on this resolution. I requested his views. The Comptroller General says:

The first part of the resolution would have the effect of requiring such strict proof of the payment of gratuities to these Indians by the Government that it would probably result in eliminating as offsets expenditures already made for the benefit of pupils of the Five Civilized Tribes at nonreservation schools, now considered as proper offsets, as well as all gratuity disbursements made for the benefit of any one of said tribes jointly with other tribes, of which there were upward of \$12,000,000.

These gratuities extend back 100 or more years, and all persons who actually delivered supplies or moneys to the Indians have since died, so that with respect to most of the gratuities, probably 80 or 90 percent, it would not be possible to produce direct evidence of the receipt of such goods and articles by the Indians as the records show to have been purchased for them gratuitously by the Government. There are, no doubt, instances in which the Congress, 20, 30, 50, or more years ago appropriated various sums for the purchase of beef cattle for these tribes. The records would show the appropriation and that the money was advanced to the particular Indian agent. The agent's accounts would show the purchase of the cattle, but it is doubtful that proof of actual delivery could be made as required under the resolution for the reason that the agent and his employees being the only persons who could testify to the delivery of the cattle to the Indians, are now dead. The requirement of such strict proof appears unjustified, and clearly an imposition on the Government.

With respect to classification (1), it may be stated that moneys expended by the United States in the fulfillment of general or specific obligations, under a treaty or other agreement with the Indians, are not considered as proper offsets unless or until the obligations have been fulfilled. However, any amounts that may have been expended for the Indians in excess of such treaty obligations are, as a general rule, considered proper offsets and are so pleaded. Moneys expended by the United States for the benefit of the Indians which are incidental to the performance of treaties or other obligations, such as transportation of Indian supplies, etc., have been pleaded as offsets in other Indian suits and have been allowed by the courts in most instances.

Under classification (2), it is not clear what is intended by the phrase "moneys expended for the benefit of individual persons who were not enrolled members of the nation or tribe against whose common property such offsets are sought to be charged." If such classification has reference to those individuals born after 1907 when the tribal rolls were closed pursuant to the act of April 26, 1906 (34 Stat. 137), the enactment would bar the United States from pleading as offsets a considerable amount of gratuity disbursements.

The provisions under classification (3) would appear to be superfluous in view of the provisions in section 2 of the act of August 12, 1935 (49 Stat. 596), as follows:

"* * * That no expenditure under any emergency appropriation or allotment made subsequently to March 4, 1933, and generally applicable throughout the United States for relief in stricken agricultural areas, relief from distress caused by unemployment and conditions resulting therefrom, the prosecution of public works and public projects for the relief of unemployment or to increase employment, and for work relief (including the civil-works program) shall be considered in connection with the operation of this section."

Classification (4) has reference to expenditures under the acts of June 18, 1934 (48 Stat. 984), and June 26, 1936 (49 Stat. 1967), commonly referred to as the Wheeler-Howard Acts. Under section 2 of the act of August 12, 1935, supra, it is provided that:

"* * * expenditures under the act of June 18, 1934 (48 Stat. L. 984), except expenditures under appropriations made pursuant

to section 5 of such act, shall not be charged as offsets against any claim on behalf of an Indian tribe or tribes now pending in the Court of Claims or hereafter filed. * * *

Thus the act of August 12, 1935, would appear to permit the offset of any expenditures made for the purchase of land, but the proposed resolution would bar the United States from pleading for offset any expenditures made under the acts of June 18, 1934, and June 26, 1936, supra.

The enactment of the resolution into law would practically nullify the provisions of the act of August 12, 1935, insofar as the pleading of offsets are concerned in connection with the suits involving the Five Civilized Tribes. It is not apparent to this office why the Government should be placed in such disadvantageous position in these matters, or why the Five Civilized Tribes should be given preferential consideration in their suits against the United States with respect to the gratuities they received.

Considering all the facts and circumstances, I am unable to recommend favorable consideration of the proposed legislation.

Sincerely yours,

FRED H. BROWN,
Comptroller General of the United States.

Mr. Speaker, I object to the present consideration of the bill.

Mr. WOLCOTT, Mr. RICH, and Mr. COSTELLO also objected to the present consideration of the bill.

SCHOOL DISTRICT NO. 13, FROID, MONT.

The Clerk called the next bill, S. 1450, to provide funds for cooperation with school district No. 13, Froid, Mont., for extension of public-school buildings to be available to Indian children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, I wish to state that I regret more than I can say the gentleman's attitude with reference to this bill. It is necessary that this bill be passed and these improvements be made in connection with this school. This school accommodates in the neighborhood of 167 white children and about 28 Indian children. More than half of the land in this school district is nontaxable, because it is owned by the Government in trust land for the Indians. It is impossible for them to finance themselves properly. This building is an old, dilapidated, worn-out building and is nothing but a firetrap, and I will say this to the gentleman in all sincerity, it is a disgrace to ask white children or red children or any other kind of children to attend school under such conditions.

Mr. WOLCOTT. I think that the locality should do something about it.

Mr. O'CONNOR. It is the Government that should do something about it.

Mr. WOLCOTT. According to the report, there are 167 white children attending this school and only 28 Indian children.

Mr. O'CONNOR. That is correct.

Mr. WOLCOTT. In connection with the financial condition of this school district, the report states, in substance, the district reported a balance on hand at the beginning of the present fiscal year of \$5,993.22, and it had an outstanding debt of only \$6,615, so that the cash on hand is almost as much as the outstanding debt, and I do not think it is a very good precedent for the Government to take over a school where there are only 28 children at the expense involved here, without some obligation upon the part of the locality. Up in my district we take a particular pride in maintaining our schools.

Mr. O'CONNOR. I believe that.

Mr. WOLCOTT. And if this particular school district cannot do it, then I suggest to the gentleman that he have his State laws amended so as to let the State give this district some support. I do not think it shows very good judgment on our part to maintain in the schools 167 white children on the excuse that we have to maintain there only 28 Indian children.

Mr. O'CONNOR. May I ask the gentleman how many Indian children attend his school?

Mr. WOLCOTT. None.

Mr. O'CONNOR. That is just the reason the gentleman should support this bill. He has no Indian children—hence the Government is not interested as such so far as expense.

Mr. WOLCOTT. That is just an excuse, because only 28 Indian children attend the school. You use that as an excuse to get the Federal Government to maintain 167 white children.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan that the bill be passed over without prejudice?

Mr. SCHAFER of Wisconsin. I object to that request, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. RICH, Mr. KEAN, and Mr. WOLCOTT objected.

PUBLIC SCHOOL DISTRICT NO. 37, M'CURTAIN, OKLA.

The Clerk called the next bill, S. 2523, to provide for the construction, extension, equipment, and improvement of public-school facilities at McCurtain, Okla., Haskell County.

Mr. WOLCOTT. Mr. Speaker, a comparable condition exists in respect of this bill, and for that reason I ask unanimous consent that the bill be passed over without prejudice.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, it seems to me that the Congress should recognize that there is some merit in these cases where a certain number of Indian children under the laws are given an opportunity to attend these day schools. If we do not give some cooperation in providing school facilities, we are called upon to provide an Indian school. Certainly there are times when it is much cheaper for the Federal Government to contribute something to the cost of providing a school building than it is to build the entire school building and maintain the school independently.

Mr. WOLCOTT. That is perfectly all right, and you then have a precedent for it, but I think it is nonsensical to take over a school in which there are 298 white students on the excuse that we have to do it to take care of 18 Indian children.

Mr. CASE of South Dakota. This is just to provide a proportionate contribution to the cost of the building; it is not proposed to take over the school. That would be nonsensical, and I would be as much opposed to it as the gentleman.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. BURDICK. I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. I object, Mr. Speaker.

AMENDMENT OF SUGAR ACT OF 1937

The Clerk called the next bill, S. 3237, to amend section 301 (a) of the Sugar Act of 1937.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mrs. ROGERS of Massachusetts, Mr. VOORHIS of California, and Mr. SCHAFER of Wisconsin objected.

PAY OF CIVILIAN EMPLOYEES, NAVY DEPARTMENT

The Clerk called the bill (S. 3014) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), so as to provide uniformity in the pay of all civilian employees of the Navy Department appointed for duty beyond the continental limits of the United States and in Alaska.

The SPEAKER pro tempore. Is there objection?

Mr. TABER. Mr. Speaker, I object.

PROMOTION OF WARRANT OFFICERS, UNITED STATES NAVY

The Clerk called the bill (S. 3016) to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank," so as to permit service in the National Naval Volunteers to be counted for purposes of promotion.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the act of February 15, 1929 (45 Stat. 1180; 34 U. S. C. 331a), is hereby amended to read as follows:

"That for the purpose of computing the 6 years' service required for promotion from warrant to chief warrant rank, all active service, for purposes other than training heretofore rendered during the period from April 6, 1917, to December 31, 1921, under a temporary appointment as a warrant or commissioned officer in the United States Navy, or as a warrant or commissioned officer in the United States Naval Reserve Force, or as a warrant or commissioned officer of the National Naval Volunteers shall be counted: *Provided*, That officers who have heretofore been commissioned chief warrant officers shall for all purposes be regarded as having been so commissioned from the date of completion of such 6 years' service including the service authorized to be counted by this act: *Provided further*, That no back pay or allowances shall be held to have accrued prior to the passage of this act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LANDS, RICHMOND, FREDERICKSBURG & POTOMAC RAILROAD CO. AND UNITED STATES

The Clerk called the bill (S. 3017) to amend the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co., and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), so as to permit the removal of certain encumbrances on the lands concerned.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), is hereby amended so that the first 10 lines of the first section thereof will read as follows:

"That the Secretary of the Navy is authorized on behalf of the United States to accept from the Richmond, Fredericksburg & Potomac Railroad Co., a corporation of the State of Virginia, without cost to the United States, except as hereinafter provided, by an appropriate deed of conveyance, all of the said railroad company's right, title, and interest in and to the following lands, together with all the right, title, and interest of the said railroad company in and to the platted streets and riparian rights in Quantico Creek as may attach to the lots described in subsection (a)."

Sec. 2. The said act approved June 24, 1935, is hereby further amended so that the first eight lines of the second section thereof will read as follows:

"In exchange for all of the right, title, and interest of the Richmond, Fredericksburg & Potomac Railroad Co. in and to the above-described lands, the Secretary of the Navy is authorized to transfer by appropriate conveyance to the said railroad company, free from all encumbrances, without cost to the said railroad company, all right, title, and interest of the United States in and to the lands contained within the Marine Corps Reservation at Quantico, Va., described generally as follows."

Sec. 3. That the said act approved June 24, 1935, is hereby further amended by adding the following section thereto:

"Sec. 3. The Secretary of the Navy is hereby authorized to acquire on behalf of the United States by purchase, condemnation, or otherwise, at a cost not to exceed \$1,750, such parts of the lands described in section 1 of this act and such vested rights therein, if any, as may belong to persons other than the Richmond, Fredericksburg & Potomac Railroad Co."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF FUEL, ELECTRIC LIGHT, ETC., AT ISOLATED NAVAL STATIONS

The Clerk called the bill (S. 3065) authorizing the sale of fuel, electric light, ice, and water at isolated naval stations.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RED LAKE BAND OF CHIPPEWA INDIANS

The Clerk called the bill (H. R. 8369) authorizing a per capita payment of \$12.50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. O'CONNOR. Mr. Speaker, I reserve the right to object. This bill is reported out unanimously by the Committee on Indian Affairs after a thorough hearing. We had hearings on this bill two or three times before. Every time we had a hearing on the bill we cut down the amount and finally got the author of the bill to accept the sum of \$12.50, cutting it down from the sum of \$20.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. SCHAFER of Wisconsin. Is it not a fact that not one penny carried in this bill comes out of the taxpayers' Treasury?

Mr. O'CONNOR. That is exactly right.

Mr. SCHAFER of Wisconsin. This bill merely provides that we give each Indian of the Chippewa Tribe \$12.50 of their own money so that they can have a few nickels in their pockets.

Mr. O'CONNOR. Yes. The money is in the United States Treasury belonging to these people, and why should not they have a right to see it and feel it once in a while?

Mr. RICH. The Government is now taking care of these Indians, and we are spending more and more money to take care of these 33,000 Indians—

Mr. O'CONNOR. Two hundred and seventy-eight thousand Indians.

Mr. RICH. And every time we permit anybody to come in here with a special bill and permit the Indians to spend some of the assets they have, then we have to go around and tax the people of the country to make up for the amount that we permit the Indians to squander.

Mr. O'CONNOR. The gentleman is in error about the number of Indians in the United States. There are 278,000; and I say to the gentleman that the United States Government has taken every piece of property worth anything away from the Indians and appropriated it, and now wants them to live on something not worth anything.

Mr. RICH. The appropriation for the Indian affairs is increasing and increasing all of the time.

Mr. O'CONNOR. If you would give the Indian one-third of what you give to the white man, he would not complain. He is a ward of the Government and must take what he gets.

The SPEAKER pro tempore. Is there objection to the request that the bill go over without prejudice?

Mr. BURDICK. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER, Mr. RICH, and Mr. WOLCOTT objected.

EDMUND BURKE MEMORIAL COMMISSION

The Clerk called House Joint Resolution 307, to provide for the printing of the speeches and writings of Edmund Burke as a House document.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

Mr. HOBBS. Mr. Speaker, reserving the right to object, I hope the gentleman will not insist upon that request.

Mr. KEAN. I will say that last week I said I would object to any luxuries. This is certainly a luxury. I must insist that it be passed over without prejudice.

Mr. HOBBS. I do not think the gentleman is accurate when he says this is a luxury. It means educational values to be ingrained into the minds of the reading public of the world. That is a necessity, rather than a luxury, although it is both.

This is not only the payment of a part of the interest on our debt of gratitude to Burke, but also a belated discharge of our debt to the realm of democratic thought. Edmund Burke was the greatest of English statesmen, but he was an Irishman, born and bred, and the greatest champion of Irish liberty the world has ever heard. His pleas for Ire-

land rang and echoed around the globe 50 years before the great O'Connell spoke. He was a Protestant, but he spoke in behalf of the oppressed Catholics, at the risk of his life. In the British Parliament his eloquent tongue, next to Washington's sword, was the chief factor in winning the struggle of the American Colonies for independence.

His blazing brilliance burned for freedom in behalf of every oppressed people of the earth.

The fullness of his genius will never be known unless this resolution be adopted.

This is the only chance we will ever have to get and preserve for the reading public many of his works, which, because of his championship of unpopular causes, have been suppressed. It may be that the time is not as ripe as it might be, because of the war. But when, for the first time, permission to publish his hitherto unpublished speeches and writings has been obtained, the opportunity should be embraced, even in spite of war.

I will say to the distinguished gentleman that this is not an appropriation, but a mere authorization, and that only such part of the authorization as may be necessary will be appropriated. However, if we at this time fail to take advantage of the offer which it took 3 years to secure, we will always regret it, and some 3,600 of his works, into which he poured the passion of his soul and genius, may be lost to humanity. In these days, when the fate of civilization is trembling in the balances, it may prove of great significance to the democratic institutions of this and other countries that these invaluable works of matchless political philosophy should be preserved.

Mr. KEAN. Mr. Speaker, I renew my request that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

SLUM CLEARANCE IN TERRITORY OF ALASKA

The Clerk called the next bill, H. R. 8884, to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADDITIONAL LEAVE OF ABSENCE TO CERTAIN EMPLOYEES OF GOVERNMENT PRINTING OFFICE

The Clerk called the next business, Senate Joint Resolution 71, relating to pay to certain employees of the Government Printing Office for uncompensated leave earned during the fiscal year 1932.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate joint resolution?

Mr. RICH. Mr. Speaker, reserving the right to object, I may state that we had this bill before the Committee on Printing and, as I understood it, it was agreed by the chairman, the gentleman from Alabama [Mr. JARMAN], and the gentleman from Massachusetts [Mr. CONNERY], that the bill was to come to the floor of the House and be considered by the House. I felt that was the wise thing to do, because this bill is supposed to give 2 weeks' additional pay to Government Printing Office employees.

Government Printing Office employees are well taken care of in every respect. I am interested in seeing that the bill comes before the House, but not by unanimous consent, because I want the membership of the House to know whether they are going to spend at least a half million dollars more on the best paid and best taken care of people in the Government service.

Mr. CONNERY. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. CONNERY. The gentleman was entirely wrong in his belief that there was an agreement between the gentleman from Alabama [Mr. JARMAN], the chairman of the committee, and myself that this bill would appear on some calendar other than the Consent Calendar. There was no agreement entered into.

Mr. RICH. Now, to get that part straight. I understood we were going to have it on the floor of the House where we could air it out and give the membership of the House the information so that they could determine whether they wanted to pass the bill or not. I was opposed to the bill and I filed a minority report. I would not let it pass by unanimous consent because I do not believe at this time it should pass. If there is anything I would not want to do it is to go back on my word. I consider that inviolate. I would not do anything like that. I do not believe the gentleman intended to infer that I was trying in any way to go against an agreement that I had made in the committee.

Mr. CONNERY. Most assuredly not. But I am sure the gentleman misunderstood if he thought there had been any agreement, because the gentleman will remember this bill was on the Consent Calendar 2 weeks ago.

Mr. RICH. That is right. And I thought we could have it on the floor to be considered and let the House consider it on its merits.

Mr. CONNERY. In deference to the gentleman, a member of the Printing Committee, not being able to be present in the Chamber at the particular moment when this bill came before the House for action on the Consent Calendar 2 weeks ago, I personally requested that it be passed over without prejudice, in order that the gentleman might be here today to object if he saw fit.

Mr. RICH. The gentleman is right on that.

The SPEAKER pro tempore. Is there objection?

Mr. RICH. Mr. Speaker, unless we can get this bill before the House so that the membership can understand it I will have to object. I have no other course in justice to the American taxpayer.

Mr. CONNERY. I hope the gentleman will withhold his objection, especially inasmuch as the Senate has seen the justice of this bill and has passed it. This debt is justly due these employees of the Printing Office, who, through the passage of the Economy Act in 1933, were the only employees in our entire governmental set-up who lost the benefit of their annual leave. The Public Printer agrees that the bill is a worthy one; the Senate has already passed it; it is a just debt that is due and, seeing the logical result of that, I hope the gentleman from Pennsylvania will withhold his objection.

Mr. RICH. The employees did secure 15 days' leave. They got 15 days' sick leave at that time. Now they are getting 26 days' leave and they get 15 days' sick leave. I am going to ask, Mr. Speaker, in order that the membership of the House may have an opportunity to study this bill and determine whether they want to grant this additional leave to the Government employees in the Printing Office that it go over without prejudice. I am vitally interested in these employees myself, because I am a Member of the Committee on Printing and I want to see that they are taken care of the same as the employees in any other Government department.

Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CONNERY. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object to the present consideration of the bill.

REVISED EDITION OF BIOGRAPHICAL CONGRESSIONAL DIRECTORY

The Clerk called the next business, House Concurrent Resolution 52, authorizing the printing of a revised edition of the Biographical Directory of the American Congress up to and including the Seventy-sixth Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. CONNERY. Mr. Speaker, reserving the right to object, this bill came up for consideration 2 weeks ago. I hope the gentleman on this occasion will not object. This bill deals with the publishing of a revised edition of the Biographical Congressional Directory and deals with the history of the United States Congress. The last edition of this fine work was published some 10 years ago. This year is the opportune time to bring it up to date.

I understand that if the House does not take action at this session the Senate intends to authorize the publication of a sufficient number of copies for its own use. In that case there will be no copies available for the House membership.

In the House alone there are some 1,000 Members who have served here during the last 10 years and are not included in the present edition. Amongst this group is numbered our present Speaker; the history of his years of office as Speaker does not appear in any existing edition of this work. It is data which should be preserved. It is data which should be revised and compiled for reference as well as for history. I hope the gentleman will not object to the bill.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RICH. I may state to the gentleman from New Jersey also that while it was originally estimated that the cost of this publication would be \$36,000, and was so stated 2 weeks ago, we find the situation different today. I thought that \$36,000 was rather exorbitant to do the work. I have been informed by the secretary of the Joint Committee on Printing, Mr. Wold, that if printed now the cost can be cut down to \$18,000. I do not know what brought about the change in figures from \$36,000 to \$18,000. That is a reduction of 50 percent, and it now seems more like a reasonable figure.

Mr. CONNERY. The gentleman is correct, and I think I can enlighten him on that. This being a Government publication, many of the plates and other mechanical material have been preserved, and can readily be put to use again. The Public Printer, in the short time given him to present his first estimate, evidently overlooked the fact that this would be simply a revision and reprint. This being the case, the figure of the cost has been very materially reduced.

Mr. RICH. We felt that \$36,000 was an exorbitant cost. I am glad to find out it will cost only \$18,000, and I hope it can be done at the minimum cost to the taxpayers.

Mr. KEAN. We had better wait another 2 weeks and perhaps get a reduction of another 50 percent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

Mr. CONNERY. I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I object.

DETAIL OF J. L. SAVAGE TO SERVICE OF NEW SOUTH WALES, AUSTRALIA

The Clerk called the next bill, H. R. 7254, authorizing the temporary detail of J. L. Savage, an employee of the United States, to service under the Government of the State of New South Wales, Australia.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, this bill proposes to permit the chief designing engineer of the Bureau of Reclamation of the Department of the Interior to enter the service of the Government of New South Wales, Australia, and the Government of Punjab, India. These two governments are now engaged in the present war in Europe. I do not believe that this bill conforms to American neutrality. I, therefore, object.

The SPEAKER pro tempore. Objection is heard.

PROVIDING FOR THE RANK AND TITLE OF LIEUTENANT GENERAL OF THE REGULAR ARMY

The Clerk called the next bill, H. R. 7611, to provide for the rank and title of lieutenant general of the Regular Army.

These being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the rank and title of lieutenant general of the Regular Army," approved August 5, 1939, is hereby amended to include the major generals of the Regular Army specifically assigned by the Secretary of War to command the Panama Canal and Hawaiian Departments.

With the following committee amendment:

Page 1, line 8, after the word "Departments", insert the following: "or who since August 5, 1939, commanded either of said departments."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RIVER AND HARBOR SURVEYS

The Clerk called the next bill, S. 3013, to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), so as to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), is hereby amended to read as follows:

"Sec. 5. To cover actual additional expenses to which flyers are subjected when making aerial surveys, hereafter a per diem of \$7 in lieu of other travel allowances shall be paid to officers, warrant officers, and enlisted men of the Army, Navy, and Marine Corps for the actual time consumed while traveling by air, under competent orders, in connection with naval aerial surveys and flight checking of Hydrographic Office aviation charts, and aerial surveys of rivers and harbors or other governmental projects, and a per diem of \$6 for the actual time consumed in making such aerial surveys, or flight checking of Hydrographic Office aviation charts. The per diem authorized in connection with naval aerial surveys and flight checking of Hydrographic Office aviation charts shall be paid from the appropriation 'Pay, subsistence, and transportation of naval personnel.' The per diem authorized in connection with aerial surveys of rivers and harbors or other governmental projects shall be paid from appropriations available for the particular improvement or project for which the survey is being made: *Provided*, That not more than one of the per diem allowances authorized in this section shall be paid for any one day: *And provided further*, That Naval and Marine Corps personnel shall not be entitled to the allowances authorized by this section when naval tender facilities or the equivalent thereof are available while traveling by air or in the area where the naval survey or flight checking duties are performed."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE YUMA PROJECT AND BOULDER DAM

The Clerk called the next bill, H. R. 7116, to authorize defraying cost of necessary work between the Yuma project and Boulder Dam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," is amended to read as follows:

"There is hereby authorized to be appropriated out of any moneys in the Treasury of the United States not otherwise appropriated, for the fiscal year ending June 30, 1928, and annually thereafter, the sum of \$100,000, or so much thereof as may be necessary, to be spent by the Reclamation Bureau under the direction of the Secretary of the Interior to defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal Irrigation project in Arizona and California and to defray the cost of other necessary protection works and systems along the Colorado River between said Yuma project and Boulder Dam."

With the following committee amendment:

Page 1, line 6, before the word "is", insert the following: "approved January 21, 1927."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSEMENT OF TRAVEL EXPENSES

The Clerk called the next bill, H. R. 9118, to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$6,853.53 to be immediately available and to be expended under the direction of the Secretary of War for the reimbursement of travel expenses to 58 employees who, under orders, were transferred from various districts to the Fort Peck Engineering District of the Corps of Engineers, United States Army, during the years 1933, 1934, and 1935.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF LANDS TO THE ARIZONA STATE ELKS ASSOCIATION HOSPITAL

The Clerk called the next bill, S. 2980, providing for the sale of certain lands to the Arizona State Elks Association Hospital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Executive Order No. 2295 and dated January 1, 1916, as modified by the Executive Order No. 6971 and dated February 19, 1935, is hereby further modified by the elimination from the provisions of said Executive order as modified of a certain tract of land particularly described as follows, to wit: The north two hundred feet northwest quarter northwest quarter section 10, township 14 south, range 13 east, Gila and Salt River base and meridian; in all, an area approximately two hundred feet wide by approximately one thousand three hundred and fifteen and twenty-eight one-hundredths feet long.

SEC. 2. Upon payment to the Treasurer of the United States by the Arizona State Elks Association Hospital of the sum of \$150, being the appraised value of the lands described in section 1 hereof, the Secretary of the Interior is authorized and directed to issue patent covering said lands to the Arizona State Elks Association Hospital.

The bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE NAVY TO ACQUIRE LAND AT KEY WEST, FLA.

The Clerk called the next bill, H. R. 9140, to authorize the Secretary of the Navy to acquire land at Key West, Fla.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to acquire, by purchase or condemnation, 62 acres of land, more or less, in the city of Key West, Fla., fronting on Palm Avenue on the south and the Gulf of Mexico on the north, having a frontage on Palm Avenue of approximately one thousand seven hundred and ninety and eighty-three-hundredths feet and being approximately one thousand five hundred and twenty-five and fifty-five-hundredths feet deep, for the development and expansion of the Naval Air Station, Key West, Fla.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed \$125,000 to effectuate the purposes of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESIGNATING THE LOCK AND DAM AT ALTON, ILL., AS THE HENRY T. RAINEY DAM

The Clerk called the next bill, S. 2578, to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in honor of the late Henry T. Rainey, former Speaker of the House of Representatives, the navigation lock and dam at Alton, Ill., otherwise identified as Mississippi River Lock and Dam No. 26, shall hereafter be known as the Henry T. Rainey Dam.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES CORONADO EXPOSITION COMMISSION

The Clerk called the next bill, H. R. 9595, to postpone for 1 year the date of the transmission to Congress by the United

States Coronado Exposition Commission of a statement of its expenditures.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act entitled "An act authorizing Federal participation in the commemoration and observance of the four-hundredth anniversary of the explorations of Francisco Vasquez de Coronado," approved July 17, 1939, is amended to read as follows:

"Sec. 6. The Commission shall transmit to Congress on or before January 3, 1942, a detailed statement of the manner of expenditure of any funds appropriated pursuant to the authorization contained in this act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROME UNIVERSAL EXHIBITION—1942

The Clerk called the next business, House Joint Resolution 486, authorizing the acceptance of the invitation of the Government of Italy to participate in the Home Universal Exhibition to be held at Rome, Italy, in 1942.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

Mr. BURDICK. Mr. Speaker, I object.

CONVEYANCE OF CERTAIN LANDS TO THE PORT OF CASCADE LOCKS

The Clerk called the next bill, S. 255, authorizing the Secretary of War to convey to the Port of Cascade Locks, Oreg., certain lands for municipal purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to convey, by quitclaim deed, to the port of Cascade Locks, Oreg., all right, title, and interest of the United States in and to the following-described lands: Commencing at a point, not monumented, on left bank of Columbia River, 1,206.3 feet north from center of section 12, township 2 north, range 7 east, of the Willamette meridian in Hood River County in the State of Oregon, this point being on the southerly boundary line of the R. G. Atwell, D. L. C.; thence from said initial point by metes and bounds east 125 feet to a point; south 203.5 feet to an 8-inch by 8-inch stone with iron plug marked "U. S."; south 41°15' west 578.6 feet; south 29°30' east 60 feet; south 29°45' west 75 feet; south 29°13' west 58.51 feet; south 40°00' west 135.5 feet; south 37°30' west 100 feet; south 36°20' west 100 feet; south 34°15' west 101 feet; south 31°50' west 100 feet; south 30°20' west 100 feet; south 30°10' west 1,590.1 feet; north 59°50' west 200 feet; north 47°15' west 950 feet; north 28°00' east 286.44 feet; north 11°00' west 343.2 feet; north 46°00' east 1,171.5 feet; north 88°00' east 726 feet; north 49°00' east 907.16 feet; south 55.4 feet to the point of beginning, which is on the southerly boundary of the R. G. Atwell, D. L. C.

Sec. 2. The Secretary of War is further authorized and directed to convey to the port of Cascade Locks, Oreg., in addition to the lands described in the first section of this act, all right, title, and interest of the United States in and to the following: All buildings and permanent fixtures, and any material, supplies, and sundry equipment abandoned by the War Department on such lands, together with the water systems, water mains, distribution lines, and water rights located on or connected with such lands.

Sec. 3. The lands and other property authorized to be conveyed by this act shall be used by the grantee for a municipal park and dock, and for other municipal purposes. The deed executed by the Secretary shall contain the express condition that if the grantee shall cease to use such land for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

With the following committee amendment:

Page 1, line 4, after the word "deed", insert "upon the payment to the United States of not less than 50 percent of the current appraised value thereof."

Page 3, line 22, after the word "dock", strike out "and for other municipal purposes."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE WILMOT NATIONAL GUARD TARGET RANGE

The Clerk called the next bill, S. 2122, to authorize the sale of the Wilmot National Guard target range, Arizona.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

MARKING, CARE, AND MAINTENANCE OF MOUNT OF VICTORY PLOT (BROOKLYN, N. Y.)

The Clerk called the next bill, H. R. 8258, for marking, care, and maintenance of the Mount of Victory plot in the Cypress Hills Cemetery, in Brooklyn, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to such provisions of the laws relating to national cemeteries as are not in the opinion of the Secretary of War inapplicable, the Secretary of War is hereby authorized and directed to provide for the marking, care, and maintenance of and to place under the jurisdiction of the superintendent of the Cypress Hills National Cemetery, located in section 18 of the Cypress Hills Cemetery, in Brooklyn, N. Y.), the plot of ground located in section 2 of said Cypress Hills Cemetery known as the Mount of Victory plot and comprising 2,400 square feet, and in which are interred not less than 33 survivors of the War of 1812, including the remains of the last survivor of that war. There are hereby authorized to be appropriated from time to time such sums as may be necessary to carry out the provisions of this act.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following:

"The Secretary of War is authorized and directed to accept (on behalf of, and without cost to, the United States) title to that certain burial plot in the Cypress Hills Cemetery, in the Borough of Brooklyn, in the county of Kings, in the State of New York, known as the Mount of Victory plot and designated on a map of said cemetery filed according to law as lots numbers 354 to 359, inclusive, in section 2, comprising approximately 2,400 square feet, in which plot are interred the remains of the last survivor and of other veterans of the War of 1812, and to make said plot part and parcel of the Cypress Hills National Cemetery acquired in 1870 from and also located wholly within said Cypress Hills Cemetery. The said Mount of Victory plot shall thereafter receive care, maintenance, and marking as provided by U. S. C., title 24, sections 278 and 279."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING AN EXTRA MOUNT FOR MOUNTED OFFICERS OF THE ARMY

The Clerk called the next bill, H. R. 5478, to provide for the maintenance, at public expense, of two mounts for officers of the Regular Army who are designated as mounted officers.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I wonder if someone from the Committee on Military Affairs will explain to us why after 150 years it is necessary now to have two mounts or two horses for each Army officer?

Mr. COSTELLO. I may say to the gentleman that the provisions of the bill simply authorize the maintenance of two allowances. The result of the War Department experience has been that one mount is not sufficient and that a majority of the officers have to maintain a second mount, which they have been doing at their own expense. The Department has simply felt that calling upon the officers to maintain that mount at his own expense and also to provide for his transportation from one station to another when the officer is transferred is an unreasonable burden for the officer to have to bear. For that reason the Department feels that the Government should take care of that expense rather than make it a burden upon the officer.

Mr. WOLCOTT. This bill provides for the maintenance and transportation at public expense of the second mount?

Mr. COSTELLO. That is correct.

Mr. WOLCOTT. I recall instances in which old, broken-down cavalry horses served from 10 to 20 hours a day under the most trying circumstances and seemed to stand up under it in pretty good shape. I believe we should have more consideration of this bill.

Mr. COSTELLO. The thought the War Department has is that if the officers are encouraged to maintain and keep a second privately owned mount rather than simply utilizing the horses provided by the War Department, the chances are the officers will have better horses. That has been the experience of the War Department.

Mr. WOLCOTT. Surely the work of a mounted officer in peacetime is not so great that he wears out two horses in any one day. The trouble we had with our horses when I was in the service was that they would stand on the picket line so long that they were a little too lively. I am afraid that, if we give these officers two mounts instead of one,

there is a possibility that these horses will be kept on the picket line so long that they will not be useful because they will be so full of life. We had to take our horses out and exercise them once in a while to keep them from throwing their riders.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. I object, Mr. Speaker.

NAVAL PROVING GROUND, DAHLGREN, VA.

The Clerk called the next bill, H. R. 9636, authorizing the conveyance to the Commonwealth of Virginia of a portion of the naval reservation known as Naval Proving Ground, Dahlgren, Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and empowered in the name and on behalf of the United States of America to convey to the Commonwealth of Virginia, upon such terms and conditions as he may prescribe, all right, title, and interest of the United States of America in and to that portion of the Naval Proving Ground, Dahlgren, King George County, Va., upon which the Commonwealth of Virginia has been granted permission to construct, maintain, and operate a State highway designated as Route No. 207 by a permit issued by the Secretary of the Navy on April 18, 1940: *Provided*, That the Secretary of the Navy is authorized to make such deviations in the description of the land involved as may be necessary to carry out the purposes and intent of this act.

Sec. 2. This act shall be in force from the date of its passage.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROTECTION OF THE BALD EAGLE

The Clerk called the next bill, H. R. 4832, for the protection of the bald eagle.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent that the bill be passed over with prejudice.

The SPEAKER pro tempore. Is there objection to the request of the Delegate from Alaska?

There was no objection.

PROTECTION OF CERTAIN ENLISTED MEN OF THE ARMY

The Clerk called the next bill, H. R. 9158, to amend the act entitled "An act for the protection of certain enlisted men of the Army," approved August 19, 1937, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the body of the act entitled "An act for the protection of certain enlisted men of the Army," approved August 19, 1937 (50 Stat. 696), be, and the same is hereby, amended to read as follows:

"That, notwithstanding the language contained in the second proviso under the subheading 'Pay, and so forth, of the Army' of the act of July 1, 1937 (50 Stat. 446), and similar provisos of other acts heretofore or hereafter enacted, any alien otherwise eligible for enlistment in the Regular Army, who shall have been an enlisted man therein for any period subsequent to June 30, 1937, who shall have made a valid and still effective declaration of intention to become a citizen of the United States, or shall have furnished prima facie evidence of his eligibility for admission to such citizenship without prior formal declaration of intention, and shall have agreed in writing to complete his naturalization without unnecessary delay, shall up to and including June 30, 1943, be deemed eligible (1) if in the service, for continuance therein until expiration of current enlistment, for reenlistment, and for continuance in the service under such reenlistment not later than June 30, 1943; (2) if not in the service, for reenlistment and for continuance in the service under such reenlistment not later than June 30, 1943; and (3) in either case for receipt while so serving of the pay of his grade and length of prior service.

"Sec. 2. Hereafter, service in the Regular Army honorably terminated shall be credited for purposes of legal residence under the naturalization laws of the United States, regardless of the legality or illegality of the original entry into the United States of the alien, the certificate of the honorable termination of such service or a duly authenticated copy thereof made by a naturalization examiner of the Immigration and Naturalization Service being accepted in lieu of the certificate from the Department of Labor of the alien's arrival in the United States required by the naturalization laws; and service so credited in each case shall be considered as having been performed immediately preceding the filing of the petition for naturalization."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT THOMAS MILITARY RESERVATION, KY.

The Clerk called the next bill, S. 3402, to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Ky., in exchange for the release of property rights in and to a certain road on said reservation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, under such terms and conditions as may be deemed advisable by him, to grant to Simon Pendleton Kramer and Minnie Halle Kramer, joint owners, their heirs and assigns, an easement for a right-of-way for roadway purposes in a certain road as now located on the Fort Thomas Military Reservation, Ky., extending from south Fort Thomas Avenue on the westerly boundary of said reservation to lands of the said Simon Pendleton Kramer and Minnie Halle Kramer adjacent to the easterly boundary of said reservation, in exchange for the release to the United States of the property rights of the said Simon Pendleton Kramer and Minnie Halle Kramer, joint owners, their heirs and assigns, in a certain road, or such portion thereof as may be designated by the Secretary of War, located on said reservation as described in and reserved in a certain deed of A. H. Bloom, dated August 27, 1887, conveying to the United States part of the lands comprising the Fort Thomas Military Reservation, Ky.

With the following committee amendments:

Page 1, line 5, strike out "Simon Pendleton Kramer and."
Line 6, strike out "joint owners, their" and insert "widow of Simon Pendleton Kramer, her."
Page 2, line 3, strike out "Simon Pendleton Kramer and."
Line 7, strike out "Simon Pendleton Kramer and."
Line 8, strike out "joint owners, their" and insert "her."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING THE NUMBER OF BRIGADIER GENERALS OF THE REGULAR ARMY

The Clerk called the next bill, S. 3423, to increase the number of brigadier generals of the line of the Regular Army by four.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the number of brigadier generals of the line of the Regular Army is hereby increased from 46 to 50.

With the following committee amendment:

Page 1, beginning in line 3, strike out all after the enacting clause and insert the following:

"That the number of brigadier generals of the line of the Regular Army is hereby increased from 46 to 50, and hereafter upon the appointment of an officer below the rank of brigadier general to be chief of infantry, cavalry, field artillery, or coast artillery, he shall at the same time be appointed to be a permanent brigadier general of the line and an increase in the number of brigadier generals for this purpose is hereby authorized: *Provided*, That no further appointments to the grade of brigadier general of the line shall thereafter be made until the total number thereof shall be less than fifty: *Provided further*, That the selection of chief of branch shall not be limited to the list of brigadier generals."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES MILITARY ACADEMY

The Clerk called the next bill, S. 3496, to prevent retardation in promotion and in pay and allowances of permanent professors of the United States Military Academy appointed by the President from the commissioned officers of the Regular Army.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. I object, Mr. Speaker.

LEADER OF THE MILITARY ACADEMY BAND

The Clerk called the next bill, S. 3575, to make better provision for the teacher of music, the leader of the Military Academy Band.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from and after the date of approval of this act the teacher of music, the leader of the Military Academy Band, shall have the rank of captain of the United States Army and shall be entitled to receive the pay and allowances of an officer in the third pay period: *Provided*, That in the computation

of the pay and allowances of such teacher of music all active service in the Army, including service as teacher of music, shall be counted as if it were commissioned service: *Provided further*, That the said leader of the Military Academy Band shall, at such time as the President in his discretion may direct, be retired as a teacher of music with the rank of captain, and when so retired, shall be entitled to receive the same retirement pay as is now or may hereafter be provided by law or regulation for an officer of the Army in the third pay period with length of service computed as stated above: *And provided further*, That the dependents of said teacher of music shall be entitled to the same pensions, death gratuity, and other benefits as are now or may hereafter be provided for an officer of the Regular Army in the third pay period with the corresponding length of service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL EMPLOYEES PERFORMING JURY SERVICE IN STATE AND UNITED STATES COURTS

The Clerk called the next bill, H. R. 6507, to provide for leave of absence, with pay, for any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the compensation of any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States shall not be diminished during the term of such jury service by reason of such absence, except as provided in section 3, nor shall such period of service be deducted from the time allowed for any leave of absence authorized by law.

SEC. 2. Any employee specified in section 1 who may be called upon for jury service in any court of the United States shall not receive any compensation for such service.

SEC. 3. There shall be credited against the amount of compensation payable by the United States to any employee specified in section 1 for such period as such employee may be absent on account of jury service in the court of any State any amounts which such employee may receive from such State on account of such jury service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK

The Clerk called the next bill, H. R. 8512, to provide for the acquisition of additional lands for the national military parks, national historical parks, national battlefield parks, and battlefield sites administered by the National Park Service of the Department of the Interior, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to acquire on behalf of the United States, by purchase when purchasable at prices deemed by him reasonable, or by condemnation under the provisions of the act of August 1, 1888, such tracts of land contiguous to, or within the boundaries of, any of the national military parks, national historical parks, national battlefield parks, or battlefield sites administered by the National Park Service of the Department of the Interior as he may determine to be necessary or desirable for addition to such areas, the title and evidence of title to such lands to be satisfactory to the said Secretary. When title to any such lands shall have vested in the United States, they shall be added to and become parts of the respective national military parks, national historical parks, national battlefield parks, and battlefield sites for which they are acquired, and shall be subject to all laws and regulations applicable thereto.

SEC. 2. There is hereby authorized to be appropriated to carry out the purpose of this act such sums as the Congress may from time to time determine.

With the following Committee amendment:

Page 1, line 7, after the figures "1888", strike out the remainder of section 1 and insert in lieu thereof:

"The following tracts of land or any part thereof for addition to Chickamauga and Chattanooga National Military Park; all of lots of land numbered 86, 87, 88, 95, 123, 165, in the ninth district and fourth section, Catoosa County, Ga., and such parts of lots of land 89, 90, 91, 92, 93, 124, 125, 128, 129, 160, 161, 164, 196, and 197, in said district and section as lie west of Chickamauga Creek.

"When title to any such lands shall have vested in the United States they shall be added to and become a part of said park and shall be subject to all laws and regulations applicable thereto."

The Committee amendment was agreed to.

LXXXVI—405

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOCAL DELIVERY RATE ON CERTAIN FIRST-CLASS MAIL MATTER

The Clerk called the next bill, S. 3667, to provide for the local delivery rate on certain first-class mail matter.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. BARRY. Mr. Speaker, reserving the right to object, this bill has been passed by the House on two occasions. The Committee on the Post Office and Post Roads has held lengthy hearings on it and the Senate has passed the measure three times. I wish the gentleman would withdraw his request that it be passed over.

Mr. CASE of South Dakota. I would like to look into the bill a little more and I am only asking that it be passed over without prejudice.

Mr. BARRY. The bill is designed to correct a situation in New York City which is purely local. There are five counties or boroughs within Greater New York and all of those counties have a 2-cent rate within the county, except Queens County, which has four different areas with a 3-cent rate. It is an obvious maladjustment and I would appreciate it if the gentleman would take my word for it.

Mr. JENSEN. As a member of the Post Office and Post Roads Committee I wish the gentleman would withdraw his objection. This bill has been before the Post Office and Post Roads Committee and has been thoroughly discussed, and I think it is a fair bill and I hope the gentleman will withdraw any objection.

The SPEAKER pro tempore. Does the gentleman from South Dakota insist on his request that the bill be passed over without prejudice?

Mr. CASE of South Dakota. Yes; Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

DISPATCHERS AND MECHANICS-IN-CHARGE IN MOTOR-VEHICLE SERVICE OF THE POSTAL SERVICE

The Clerk called the next bill, H. R. 9670, to provide an 8-hour workday and payment for overtime for dispatchers and mechanics-in-charge in the motor-vehicle service of the Postal Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the sixth paragraph of section 6 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, is amended to read as follows:

"Dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, shall be required to work not more than 8 hours a day. The 8 hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duties of the employees shall be regulated accordingly. In cases of emergency, or if the needs of the service require, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and employees of the pneumatic-tube system can be required to work in excess of 8 hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by 306, the number of working days in the year less all Sundays and legal holidays enumerated in the act of July 28, 1916; the quotient thus obtained will be the daily compensation which, divided by 8, will give the hourly compensation for such overtime service. When the needs of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, they shall be allowed compensatory time on 1 day within 6 days next succeeding the Sunday, except the last 3 Sundays in the calendar year, and on 1 day within 30 days next succeeding the holiday and the last 3 Sundays in the year on which service is performed: *Provided, however*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays.

With the following committee amendment:

On page 2, line 10, after the word "driver-mechanics", insert "and garagemen-drivers in the motor-vehicle service."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALARIES OF RURAL LETTER CARRIERS

The Clerk called the next bill, H. R. 8582, to adjust the salaries of rural letter carriers.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I want to call the committee's attention to the fact that the Ramseyer rule has not been complied with in respect of this bill.

Mr. BURCH. The gentleman will find that a supplemental report has been filed.

Mr. WOLCOTT. Mr. Speaker, I have not any objection to the bill, but, as I have said on frequent occasions, those of us who have been assigned to protect this calendar sometimes burn the midnight oil on it, and we have not any time to refer to the code. The rule was adopted for the purpose of informing the House what changes are proposed to be made in existing law. It just so happens in this particular case I had previously been informed, but the House has no knowledge of the situation unless a supplemental report has been filed.

I note, Mr. Speaker, that a supplemental report has been filed complying with the Ramseyer rule, and for that reason I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 8 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, as amended, is hereby amended by inserting after the first sentence thereof the following new sentence: "The Postmaster General may, in his discretion, allow and pay such additional compensation as he may determine to be fair and reasonable in each individual case to rural letter carriers serving heavily patronized routes not exceeding 45 miles in length: *Provided*, That in no case shall the total compensation of a rural letter carrier serving a heavily patronized route of 45 miles or less in length exceed \$2,100 per annum, exclusive of maintenance allowance: *Provided further*, That the Postmaster General shall report to the Committees on Post Offices and Post Roads of the two Houses the number and names of the routes on which these increases shall be made."

SEC. 2. This act shall take effect on the 1st day of the calendar month next following the month in which it is approved.

With the following committee amendments:

On page 1, in line 3, after the first "the", insert the words "second sentence of the."

On page 1, starting in line 8, strike out the words "is hereby" and all of lines 9, 10, and 11; and on page 2, strike out everything down to and including line 11 and insert in lieu thereof the following:

"is amended—

"(a) By striking out '38' wherever the same appears in such sentence and inserting in lieu thereof '45'; and

"(b) By striking out in the second proviso of such sentence the following: 'by January 1, 1940, after which date no further increases shall be made.'

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS BAYOU LAFOURCHE, LA.

The Clerk called the bill (S. 2999) to legalize a bridge across Bayou Lafourche at Galiano, La.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Chief of Engineers and the Secretary of War are hereby authorized to approve the location and plans of a pontoon bridge already constructed by John L. Guidry across Bayou Lafourche at Galiano, La.: *Provided*, That said bridge has been authorized by the Legislature of the State of Louisiana and as located and constructed affords reasonably free, easy, and unobstructed navigation.

SEC. 2. That when the location and plans of said bridge have been approved as provided in section 1 of this act, said bridge shall be deemed a lawful structure and subject to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, LA CROSSE, WIS.

The Clerk called the bill (S. 3183) to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis., authorized to be built by the State of Wisconsin by an act of Congress approved June 19, 1936, as heretofore extended by an act of Congress approved April 26, 1937, is further extended for 1 year, from April 26, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, HELENA, ARK.

The Clerk called the bill (S. 3254) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., authorized to be built by the Arkansas-Mississippi Bridge Commission and its successors and assigns by an act of Congress, approved May 17, 1939, are hereby further extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS OHIO RIVER, MAUCKPORT, IND.

The Clerk called the bill (S. 3561) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind., authorized to be built by the Indiana State Toll Bridge Commission by an act of Congress approved August 7, 1939, are hereby extended 1 and 3 years, respectively, from August 7, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS ALLEGHENY RIVER, PORT ALLEGANY, PA.

The Clerk called the bill (S. 3570) to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Port Allegany borough, Liberty Township, in the county of McKean, and in the Commonwealth of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Allegheny River, at a point suitable to the interests of navigation, at or near Port Allegany, Liberty Township, McKean County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MONONGAHELA RIVER, WEST ELIZABETH, PA.

The Clerk called the bill (S. 3571) to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Monongahela River, at a point suitable to the interests of navigation, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER, NIOBRARA, NEBR.

The Clerk called the bill (H. R. 8491) authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I reserve the right to object, to inquire from the author of the bill whether the State of Nebraska and the county of Knox are about bankrupt, as is the Federal Treasury, so that they cannot erect a free bridge?

Mr. STEFAN. This bill has been here several times, and we have met the various objections of the Departments. This, of course, will eventually be a free bridge. I feel that all these bridges should be free eventually and this is an approach to that objective. But we must get a start in building them. This gives us a start. I hope the gentleman from Wisconsin shall not object.

Mr. SCHAFER of Wisconsin. Under their present program, does the county of Knox and the State of Nebraska propose to make this a free bridge after the bridge has been paid for?

Mr. STEFAN. There is no question about that.

Mr. SCHAFER of Wisconsin. Mr. Speaker, in view of the gentleman's statement, I withdraw my objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Knox, State of Nebraska, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation at or near Niobrara, Nebr., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the said county of Knox, State of Nebraska, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes, in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said county of Knox, State of Nebraska, is hereby authorized to fix and charge tolls for transit over such bridge and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for amortization shall have been so provided, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to assign the powers and privileges of this act by mortgage for the purpose of financing the construction of the said bridge is hereby granted to the county of Knox, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted the same and as fully as though conferred directly upon such person or corporation until such time as there shall have been recovered through the toll system the purchase price and the annual costs of maintenance, repair, and operation of the said bridge.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 3, strike out all of section 5, lines 12 to 22, both inclusive, and in lieu thereof insert a new section 5 as follows:

"Sec. 5. The right to assign the powers and privileges conferred by this act by mortgage for the purpose of financing the construction of such bridge is hereby granted to the county of Knox, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted, to the same extent and as fully as though conferred directly upon such person or corporation, until such time as there shall have been recovered through the toll system an amount equal to the purchase price of such bridge and its approaches together with annual interest on the unpaid amount of such purchase price and the annual costs of maintenance, repair, and operation of such bridge during such period. Such bridge shall thereafter revert to and be maintained and operated by the county of Knox, State of Nebraska, free of tolls."

The committee amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER, DECATUR, NEBR.

The Clerk called the bill (H. R. 8589) to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River, at or near Decatur, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Burt, State of Nebraska, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation at or near Decatur, Nebr., and to a place at or near Onawa, Iowa, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the said county of Burt, State of Nebraska, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes, in the State in which such real estate or other property is situated upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said county of Burt, State of Nebraska, is hereby authorized to fix and charge tolls for transit over such bridge and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund

sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for amortization shall have been so provided, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to assign the powers and privileges of this act by mortgage for the purpose of financing the construction of the said bridge is hereby granted to the county of Burt, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted the same and as fully as though conferred directly upon such person or corporation until such time as there shall have been recovered through the toll system the purchase price and the annual costs of maintenance, repair, and operation of the said bridge.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 3, strike out all of section 5, lines 13 to 23, both inclusive, and in lieu thereof insert a new section 5, as follows:

"Sec. 5. The right to assign the powers and privileges conferred by this act by mortgage for the purpose of financing the construction of such bridge is hereby granted to the county of Burt, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted, to the same extent and as fully as though conferred directly upon such person or corporation, until such time as there shall have been recovered through the toll system an amount equal to the purchase price of such bridge and its approaches together with annual interest on the unpaid amount of such purchase price and the annual costs of maintenance, repair, and operation of such bridge during such period. Such bridge shall thereafter revert to and be maintained and operated by the said county of Burt free of tolls."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR PETERSBURG, MO.

The Clerk called the next bill, H. R. 8749, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Petersburg, Mo., authorized to be built by the county court of Howard County, Mo., by an act of Congress approved August 7, 1939, are hereby extended 1 and 3 years, respectively, from August 7, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 6, strike out the word "court."

Page 1, line 6, after the word "Howard", strike out the word "County."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER NEAR WINONA, MINN.

The Clerk called the next bill, H. R. 9094, to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near Winona, Minn., authorized to be built by the States of Minnesota and Wisconsin, jointly or separately, by an act of Congress approved June 28, 1938, as extended by an act of Congress approved July 25, 1939, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR RANDOLPH, MO.

The Clerk called the next bill, H. R. 9261, to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the railroad bridge and approaches thereto across the Missouri River at or near Randolph, Mo., authorized to be constructed, maintained, and operated by Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of the Chicago, Rock Island and Pacific Railway Co., their successors and assigns, by an act of Congress approved August 7, 1939, are hereby extended 2 and 4 years, respectively, from August 7, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS ST. LAWRENCE RIVER NEAR OGDENSBURG, N. Y.

The Clerk called the next bill, H. R. 9411, to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., authorized to be built by the St. Lawrence Bridge Commission and its successors and assigns, by an act of Congress approved June 14, 1933, and heretofore extended by acts of Congress approved June 8, 1934, May 28, 1935, April 11, 1936, August 12, 1937, and April 26, 1939, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, after line 2, insert a new section, as follows:

"SEC. 2. That so much of section 4 of the act of June 14, 1933 (48 Stat. 141), which reads as follows: 'The bridge constructed under the authority of this act shall be deemed an instrumentality of international commerce authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation', is repealed, and in lieu thereof the following language is substituted in said section 4, to wit: 'The bridge hereby authorized or the income therefrom shall be subject to Federal, State, municipal, or local taxation only to the extent that a like structure or the income therefrom owned and operated by a public authority or public agency of the State of New York shall be subject to taxation. The bonds or obligations of the Commission, from time to time outstanding, and the income derived therefrom shall be subject to taxation in the hands of the holders thereof.'"

Page 2, line 21, strike out "2" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes."

LEASE FOR SELLWOOD STATION, PORTLAND (OREG.) POST OFFICE

The Clerk called the next bill, H. R. 8069, to re-form the lease for the Sellwood station of the Portland (Oreg.) post office.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 6 of the lease entered into on November 29, 1935, by and between Flora Noble and W. F. Noble, her husband, and the United States of America is, in order to correct a mutual mistake and to effectuate the intention of the parties to the lease at the time of its making, hereby re-formed, from the date of the execution of the lease and for its entire term of 10 years, to read as follows:

"6. The lessor shall furnish to the Government, during the occupancy of said premises, under the terms of this lease, as part of the rental consideration, the following: Said room, fitted and supplied by the lessor with the present equipment consisting of all boxes, fixtures, and furniture requisite to make the said room or rooms in every way satisfactory for use as a post office, provided that after acceptance of such equipment no additional equipment shall be required except for replacements. The lessor shall keep the said boxes, fixtures, and furniture in good repair and condition, to the satisfaction of the Post Office Department. The lessor shall pay all taxes and water rates, and shall have this lease duly recorded, and shall properly protect all windows and doors in the workroom by

iron bars or wire gratings according to requirements. The lessor shall furnish approved heating and lighting fixtures, plumbing and toilet facilities as now installed, the necessary water and electric meters; satisfactory heat, light, power, water, and janitor service, to the extent of caring for the heating plant and the cleaning of windows when required, but all other work requiring the services of a janitor to be assumed and provided by the lessee. The lessor shall keep the said heating and lighting fixtures, plumbing, and toilet facilities in satisfactory repair and condition during the term of this lease."

SEC. 2. The Post Office Department, the General Accounting Office, and all concerned shall amend their records accordingly, discharging the lessor from any alleged liability for janitor service other than as undertaken in the lease as herein re-formed and making proper allowances to the postmaster at Portland, Oreg., for expenditures made by him in supplying those janitor services not imposed by the re-formed lease upon the lessor. So much of the amount heretofore expended by the postmaster for janitor services not covered by the re-formed lease as may not be charged to the appropriation for the fiscal years affected because of lapse of appropriation, or otherwise, may be charged to the current appropriation "For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations." Hereafter obligations arising against the United States for janitor services pursuant to the re-formed lease shall be charged to the aforesaid appropriation for the appropriate fiscal year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESIGNATING PERSON TO ACT AS PRESIDENT

The Clerk called the next bill, H. R. 9462, designating the person who shall act as President if a President shall not have been chosen before the time fixed for the beginning of his term, or when neither a President-elect nor a Vice President-elect shall have qualified.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, this is a very important bill. It might become very important, and I think we should give a little more consideration to this than the time limited by unanimous consent.

For that reason I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. HOBBS. Mr. Speaker, reserving the right to object, this bill has not the serious connotation, in my judgment, which the gentleman from Michigan may think it has. It grows out of section 3 of the twentieth amendment to the Constitution, and there is signified the intent of the Constitution, and therefore of the sovereign people, that this should be done by the Congress. It merely designates the Speaker of the House, or the President pro tempore of the Senate to act as President temporarily, in the event of the remote contingency hypothesized. Immediately upon the qualification of either the President-elect or the Vice President-elect, the temporary tenure of the substitute ceases. This legislation does not seek to change any part of the present mode of electing or inaugurating our President. It simply safeguards against a remote possibility which may never occur. But if it should occur, this foresight will save an embarrassing situation.

Mr. WOLCOTT. We have been legislating to protect the Norris amendment to the Constitution ever since it was adopted.

Mr. HOBBS. That is true.

Mr. WOLCOTT. Possibly we made a big mistake, without knowing it, when we adopted that amendment.

Mr. HOBBS. I agree with the gentleman.

Mr. WOLCOTT. This legislation has been constant and continuing ever since that amendment was adopted. It shows that we must be very cautious when amending the Constitution.

Mr. HOBBS. I agree with the gentleman.

Mr. WOLCOTT. And we should be just as cautious in interpreting the Constitution by legislative enactment. We should be very cautious to keep the three departments of Government distinct. I can visualize a condition whereby

this House might, under certain circumstances, fail to elect a President of the United States in order to perpetuate in office the Speaker of this House. I think we should give some consideration to that before we pass this bill.

Mr. HOBBS. We have given consideration to that and we believe to every other contingency that might arise, but I will say to the gentleman there is no dispute about this. The Speaker of the House is in rank the third official in this Government, or possibly the second. He certainly is the logical choice, and the President pro tempore of the Senate, in the absence of any one of the top three, is certainly the next man in logical succession. This bill merely provides for the succession we must all agree is wise. It complies with the suggestion contained in section 3 of the twentieth amendment.

Mr. WOLCOTT. I might suggest to the gentleman that in order to take all politics out of this question the committee might have recommended that the Chief Justice of the Supreme Court, who is perpetuated in office and is not subject to the politics of this House, might be named instead of the Speaker, with better grace. It seems to me we are possibly taking unto ourselves something that is not intended by the Constitution, by making it possible for the House of Representatives to perpetuate one of its number as President of the United States.

Those are just questions that come to my mind in considering this bill. I think in order that we may give a little more consideration to it, it should go over. We should sleep on it overnight.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

FLORIDA SHIP CANAL

The Clerk called the next bill, H. R. 6945, conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses resulting from the construction, further development, and improvement of the intracoastal waterway, Miami to Jacksonville, Fla., and for other purposes.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the author of the bill, the gentleman from Florida [Mr. CANNON], or someone on the committee give us information as to the probable aggregate amount of claims which may be filed against the Government under this bill?

Mr. CANNON of Florida. They, of course, are indeterminate. No jurisdiction is vested in any body or in any court. This is a prerequisite, and the matter is still probative. No one can determine how much the demand will be, if any. I may say to the gentleman from Michigan that there is no presumption of damage at all. That is taken care of in the bill itself.

Mr. WOLCOTT. Here is a situation which is interesting in connection with this bill: The President on his own initiative without any specific authority from this Congress started the Florida ship canal. This Congress in its wisdom later on stopped him and the people of Florida said that if the Florida ship canal were constructed there might be some seepage of salt water into the soil so much so as to destroy southern Florida for all agricultural purposes. I wonder if there has been any seepage resulting from the construction of that part of the Florida ship canal which was authorized by the President and if we might expect that this bill would set a precedent under which several millions or maybe hundreds of millions of dollars in claims would be brought against the Government because of the action of the President in starting the Florida ship canal?

Mr. CANNON of Florida. I may say to the gentleman from Michigan that my predecessor in office and myself are vigorously and bitterly opposed to the cross-State canal. The cross-State canal, as the gentleman may well know, has not been dug to project depth; it has not reached the natural reservoirs. This probably explains the reason why the water has not been damaged. The time might come, however, when the canal would be completed—although it is

my earnest hope that it never will be—but it may, and if it is and damage results I want my people protected.

Mr. WOLCOTT. As I understand, this bill merely confers upon the District Court of the United States for the Southern District of Florida the right to hear and determine claims as to whether there has been actual damage or not, that the claims are then brought back here for settlement.

Mr. CANNON of Florida. The gentleman is correct. There is no legal presumption for or against the litigant at all.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment, respectively, upon claims of all persons who have claims for damages or losses resulting from the construction, further development, and improvement of the intracoastal waterway, Miami to Jacksonville, Fla., by the War Department, and from the overflow of salt waters resulting therefrom or caused thereby, or for damages or losses resulting from the construction, further development, and improvement of said waterway by the War Department, which damages or losses could have been prevented by the exercise of reasonable care and diligence on the part of the War Department or its agents.

Sec. 2. Suits upon such claims, respectively, may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations, and proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in cases which such court has jurisdiction under section 145 of the Judicial Code, as amended.

Sec. 3. For the purposes of this act, the word "persons" shall be interpreted to mean any person or persons, individual or individuals, copartnership, firm, or corporation.

With the following committee amendments:

Page 1, lines 3 and 4, strike out the words "Court of Claims" and insert "District Court."

Page 1, line 4, after the word "States", insert "for the Southern District of Florida."

Page 1, line 6, after the word "losses", insert "allegedly."

Page 2, line 2, after the word "losses," insert "allegedly."

Page 2, line 5, after the word "losses", insert a comma and the language: "If any, it is alleged."

Page 2, line 12, strike out the word "claim" and insert "claims."

Page 2, line 13, after the word "cases," insert "over."

Page 2, line 14, strike out the language: "Section 145."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill conferring jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses allegedly resulting from the construction, further development, and improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla., and for other purposes."

WRECKING OR ATTEMPTING TO WRECK TRAIN ENGAGED IN INTER-STATE COMMERCE MADE A CRIME

The Clerk called the next bill, H. R. 8086, to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce.

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, and I shall not, I would like to ask the gentleman from Texas [Mr. Hobbs] whether or not the provisions of this bill would apply to a railroad man such as an engineer, a fireman, or the switchman who might be found guilty of neglect by a board of inquiry.

Mr. HOBBS. I may say to the gentleman from Pennsylvania that no such result could possibly follow the enactment of this bill. It does not apply to negligence, it applies to the willful wrecking of a train.

Mr. VAN ZANDT. Would the provisions of the bill apply to a switchman, for instance, who was found guilty by a board of inquiry of failing properly to throw a switch, resulting in the wrecking of a train?

Mr. HOBBS. Not at all. The same distinction is drawn in this bill as exists now in the law of negligence. This bill would apply only to the willful wrecking of a train in inter-

state commerce, not to negligent or careless failure to do something which should have been done, or by the doing of something which should not have been done. In other words, it condemns only willful misconduct, not simple negligence.

Mr. VAN ZANDT. Then it is my understanding when the House Judiciary Committee reported out this bill it was their belief and understanding the provisions of same would not apply to railroad employees who may be guilty of neglect in their duties which resulted in a train accident.

Mr. HOBBS. That is true.

Mr. COCHRAN. Mr. Speaker, reserving the right to object. The title of the bill is very misleading. One would think there are no laws making it a crime to wreck a train. It is at present, of course, a crime covered by State laws to wreck or attempt to wreck a train, no matter whether it is engaged in interstate commerce or otherwise. What you are doing here is to give jurisdiction to Federal authorities to take into the Federal courts all those who are guilty of attempting to wreck a train moving in interstate commerce. It also includes motor trucks, does it not?

Mr. HOBBS. No, sir.

Mr. COCHRAN. It simply applies to railroad trains?

Mr. HOBBS. It probably should include the willful wrecking of busses or airplanes, but at the present time we did not think we should so broaden the purview of this act.

This bill was requested by States which had experienced difficulty, by reason of the rapidity with which fugitives can cross State lines, in arresting such fugitives from justice.

The Federal Government may reach them in Galveston, Los Angeles, or anywhere else, and bring them back to the jurisdiction where the crime was committed.

Mr. VAN ZANDT. Possibly this is a vehicle for the F. B. I. to employ in cases where trains have been wrecked such as in Nevada a few months ago?

Mr. HOBBS. Yes, sir.

Mr. KERR. Will the gentleman yield?

Mr. HOBBS. I am always glad to yield to the gentleman from North Carolina.

Mr. KERR. It just simply gives the Federal Government concurrent jurisdiction with the States in matters of this kind?

Mr. HOBBS. It will enable the Federal Government to aid the States in bringing criminals, who have willfully wrecked trains engaged in interstate commerce, to justice.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whoever shall willfully and maliciously derail, disable, or wreck any train, engine, motor unit, or car used, operated, or employed in interstate or foreign commerce by any common carrier railroad, and whoever shall willfully and maliciously set fire to, or place any explosive substance on or near, or undermine any tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance used in the operation of any such common carrier in interstate or foreign commerce, or otherwise make any such tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance unworkable or unusable or hazardous to work or use, with the intent to derail, disable, or wreck a train, engine, or car used or operated in interstate commerce, and whoever shall willfully and maliciously attempt to do any of the aforesaid acts or things, shall be deemed guilty of a crime, and on conviction thereof shall be subject to a fine of not more than \$10,000 or imprisonment for not more than 20 years, or both fine and imprisonment in the discretion of the court: *Provided*, That whoever shall be convicted of any such crime, which has resulted in the death of any person, shall be subject also to the death penalty or to imprisonment for life, if the jury shall in its discretion so direct, or, in the case of a plea of guilty, if the court in its discretion shall so order.

Nothing in this act shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof; and a judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

With the following committee amendments:

Page 1, line 3, strike out "and maliciously."

Page 1, line 6, strike out "common carrier."

Page 1, line 6, strike out "and" and insert "or."

Page 1, line 6, strike out "and maliciously."

Page 2, line 1, strike out "common carrier" and insert "railroad."

Page 2, line 7, strike out "engine, or car used or operated in interstate commerce, and maliciously" and insert "engine, motor unit, or car used, operated, or employed in interstate or foreign commerce or."

Page 2, line 9, strike out "and" and insert "or."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUANCE OF PRISON INDUSTRIES REORGANIZATION ADMINISTRATION

The Clerk called the next bill, S. 2303, authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, to June 30, 1941.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the duties and functions of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, are hereby continued until June 30, 1941.

SEC. 2. There is hereby authorized to be appropriated for the administrative expenses of the Administration an amount of \$50,000 for the fiscal year 1940.

Mr. HOBBS. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 1, line 9, strike out the figures "1940" and insert "1941."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING FURNISHING OF STEAM HEAT TO NATIONAL ACADEMY OF SCIENCES

The Clerk called the next bill, H. R. 8076, to authorize the furnishing of steam from the Central Heating Plant to the National Academy of Sciences, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Works Administrator through the Public Buildings Administration be, and is hereby, authorized to furnish steam from the Central Heating Plant for the use of the National Academy of Sciences on the property designated as square 88 in the District of Columbia: *Provided*, That the National Academy of Sciences agrees to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Administrator of the Federal Works Agency: *Provided further*, That the Federal Works Administrator, through the Public Buildings Administration, is authorized to prepare plans and specifications and to supervise and contract for the work necessary to connect with the Government mains and to be reimbursed therefor by the National Academy of Sciences.

With the following committee amendment:

Page 2, line 6, after the word "to", strike out "be reimbursed therefor by the National Academy of Sciences" and insert "receive payment from the National Academy of Sciences by the transfer of funds in advance to cover the cost of such work and services, including administrative expenses."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEARANCE OF TITLE TO CERTAIN REAL ESTATE

The Clerk called the next business, House Joint Resolution 517, to clear title to certain real estate.

There being no objection, the Clerk read the bill, as follows:

House Joint Resolution 517

Whereas, on the 8th day of October 1938, one Helen L. Kane, a widow, executed, and thereafter, on the 10th day of October 1938, caused to be recorded in liber 199 of deeds, on page 388, in the office of the register of deeds of Branch County, Mich., where said land was located, a deed purporting to convey to "The Government of the United States, Washington, D. C., with life interest to Helen L. Kane, of Colon, Mich.," the lands known and described as the northwest quarter of the southwest quarter of section 30, township 6 south, range 8 west, Branch County, Mich.; and

Whereas, under date of October 17, 1938, and after the recording of said deed, said Helen L. Kane caused to be written and mailed the following letter, which was duly received, to wit:

HENRY MORGENTHAU, JR.,

Treasurer of the United States, Washington, D. C.

DEAR SIR: Am writing to let you know that on October 14, 1938, I mailed you the deed to a 40-acre farm situated in Matteson, Branch County, Mich. The letter was mailed at Coldwater, Mich. The description of the farm is as follows: The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 30, town 6, south, range 8 west. I retained a life interest in the property. In case the deed did not reach you, you can obtain a copy of the deed from the register of deeds office at Coldwater, Mich. It was recorded October 10, 1938, at 10 o'clock a. m., in liber 199, page 388. In case you do not receive a copy of it through the mail, send a trusted representative to obtain one.

It is very important that you know about it, as there is enough gold, diamonds, and oil on the place to pay off the national debt many times over.

If you would like to pay off the national debt at once and avoid paying interest on it, I would deed over my life interest for a pension of \$4,000 a year during my lifetime.

Please let me hear from you. I will cooperate with the Government in any way that I can.

Sincerely yours,

(Signed) HELEN L. KANE.

COLON, MICH., October 17, 1938;

and

Whereas thereafter, and on the 19th day of November 1938, the Acting Chief of the Division of Bookkeeping and Warrants of the Department of the Treasury wrote a letter to the said Helen L. Kane, which was in words and figures as follows:

NOVEMBER 19, 1938.

MISS HELEN L. KANE,

Colon, Mich.

DEAR MISS KANE: Receipt is acknowledged of deed to the Government of the United States of 40 acres of land in Matteson, Branch County, Mich., and of your letter of October 17, 1938, with regard to the land involved.

You are advised that the matters involved are being given attention and you will be further informed as soon as possible.

By direction of the Secretary:

Very truly yours,

(Signed) R. W. MAXWELL,

Acting Chief, Division of Bookkeeping and Warrants;

and

Whereas still later and on the 25th day of January 1939, said deed was, by registered mail, returned to the said Helen L. Kane, accompanied by a letter which was in words and figures as follows:

JANUARY 25, 1939.

(By registered mail.)

DEAR MADAM: Further reference is made to your letter of October 17, 1938, concerning the matter of your conveying to the United States, with reservation of a life interest in yourself, of a certain piece or parcel of land situate and being in the township of Matteson, county of Branch, and State of Michigan, and described as follows, to wit:

The northwest quarter (NW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of section thirty (30) town six (6) (south) range eight (8) west, containing forty (40) acres, including all oil, mineral, and precious-stone rights.

It would appear from your letter and the fact you transmitted the deed to the above land to the Department that it was your desire to donate the same to the United States.

The matter has been carefully considered and, in view of a number of legal and practical questions which have been raised, the conclusion has been reached that it would not be advisable for the Department to accept the conveyance of the property in question at this time.

In view of the above, the deed which you transmitted to the Department on October 14, 1938, is returned to you with the suggestion that you may desire to take the matter up with the register of deeds, Colon, St. Joseph County, Mich., or take such other action as may be necessary with a view to removing any cloud upon your title that may have been caused by your attempt to convey to the United States.

Very truly yours,

(Signed) WM. H. McREYNOLDS,

Administrative Assistant to the Secretary.

MISS HELEN L. KANE,

Colon, St. Joseph County, Mich.

Enclosure;

and

Whereas the United States Government now has no interest in said premises, but said deed remains a cloud upon the title thereto: Now therefore be it

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to execute and deliver to the register of deeds of said Branch County, Mich., a conveyance in the following form, to wit:

The United States having no interest in the property known and described as the northwest quarter of the southwest quarter of section 30, township 6 south, range 8 west, Branch County, Mich., and which said property one Helen L. Kane attempted to convey, under certain conditions, to the United States Government, the United States does hereby, through the Secretary of the Treasury (or any subordinate in his office), he being by joint resolution of Congress so authorized and directed, quitclaim and convey to the said Helen L. Kane all interest of "The Government of the United States, Washington, D. C.," in the premises heretofore described.

Mr. COSTELLO. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Strike out all of the preamble.

Mr. COSTELLO. The purpose of this amendment is simply to eliminate the whereas clauses in the bill.

The amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DETERMINATION OF FOREIGN CONSTRUCTION COSTS

The Clerk called the next business, House Joint Resolution 537, to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

Mr. BLAND. Mr. Speaker, will the gentleman withhold his objection?

Mr. SCHAFER of Wisconsin. This appears to be a bill to play Santa Claus to certain groups of shipbuilders. I would appreciate obtaining some information about it.

Mr. BLAND. Mr. Speaker, I shall be delighted to give the gentleman the information. The purpose of the Merchant Marine Act for the construction of ships engaged in foreign commerce was to preserve parity as nearly as possible between American construction costs and foreign costs. A situation has developed by reason of the war which makes it impossible to determine as of a given date, as of the present time, for instance, what is the construction cost abroad. For instance, Norway is out of the picture; Sweden is out of the picture; Denmark and Belgium are out of the picture. Great Britain has taken over all of the shipping there. It is also impossible to get any information from Japan. The result is that at the present time it is not possible as of the date when a construction contract is awarded to tell what will be the construction cost abroad, and in order to build and lease we have to know what that construction cost is. I may say that there was some question whether this power did not already exist, but upon careful consideration it was believed that it was the intent of Congress the subsidy should be determined as of the time when the contract was let as nearly as possible.

This resolution simply provides that for a period of 1 year from the date of the enactment of this resolution, or if the orders of the proclamation of neutrality, and so forth, are revoked within the year, then until such revocation within such 1-year period of the proclamation heretofore issued, the subsidy to be paid is on the basis of conditions existing during the period prior to September 3, 1939, which was the date of the first declaration of war. In that way, we reach a determination as to what shall be the basis of difference between construction here and abroad.

This does not change in any respect the power that is given in the Maritime Commission to limit those subsidies or to determine them as heretofore; the provision still remains that it shall not be more than 33 1/3 percent of the American cost, and also that where the conditions are shown to justify it, the subsidy shall not go above 50 percent of the American cost, and then only by affirmative vote of four members. Mr. Speaker, the purpose of this resolution is to enable the Maritime Commission to carry forward its program of building those ships that will be vitally needed if this war continues, and they will be needed at the conclusion of the war. It is a temporary matter only.

Mr. SCHAFER of Wisconsin. If this joint resolution is passed, we will still have the ceilings of 33 1/3 percent, and 50 percent on the subsidy?

Mr. BLAND. Absolutely.

Mr. SCHAFER of Wisconsin. In view of the fact that in foreign countries which are engaged in war the cost may rise,

the passing of this joint resolution, in the opinion of the gentleman, will not permit the giving to American shipowners of an additional subsidy based on the pyramided war cost in foreign lands?

Mr. BLAND. Not at all. This is freezing it, still preserving the 33 1/3- and the 50-percent limitations, but it leaves them something on which they can figure.

Mr. SCHAFER of Wisconsin. In view of the fact that the House passed a bill last week which would give the bureaucrats in the Maritime Commission the right to sell all of our merchant marine acquired prior to 1936, including the 116 sterilized ships as well as the others, and in view of the fact that an adequate merchant marine is essential for our national defense, I withdraw my objection to the present consideration of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

House Joint Resolution 537

Resolved, etc., That, for the period of 1 year from the date of the enactment of this joint resolution or until the revocation within such 1-year period of the proclamations heretofore issued by the President under section 1 (a) of the Neutrality Act of 1939, the United States Maritime Commission is authorized to make, upon the basis of conditions existing during the period prior to September 3, 1939, the determinations under section 502 (b) of the Merchant Marine Act, 1936, as amended, of estimated foreign cost of vessels covered by construction contracts executed after that date.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FUGITIVE FELON ACT

The Clerk called the next bill, H. R. 5613, to extend the Fugitive Felon Act to include flight from prosecution for arson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act making it unlawful for any person to flee from one State to another for the purpose of avoiding prosecution or the giving of testimony in certain cases," approved May 18, 1934, is amended by inserting after "rape", the following: "arson."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COAST GUARD

The Clerk called the next bill, H. R. 9553, to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, this is a somewhat lengthy bill, and I wish the distinguished and able gentleman from Virginia [Mr. BLAND] would give us some clarifying information before we pass the stage of objecting to the present consideration of the bill.

Mr. BLAND. In passing Coast Guard legislation it has developed, especially with respect to consolidating the Light-house Service and other services of the Coast Guard, that there are a number of clarifications needed in the act itself. This bill does not involve any additional expense whatever; if anything, by reason of the clarifications involved, it may probably result in economies; but I do not know that that is entirely true. Certainly it involves no additional expense.

There is in existing Coast Guard law an erroneous reference to the rank of "rear admiral (lower half)," and that is corrected.

There is a provision included in this bill that determines the question with reference to subsistence that has been in practice for a number of years. The present Comptroller General's office has required that there shall be corrections. The practice has been corrected in the naval service and all the other services except the Coast Guard.

Provision is made for correcting an erroneous reference to the rank of "rear admiral (lower half)." I never knew and no one else apparently knew what it meant. What the "rear admiral (lower half)" meant seemed to be determined largely by pay.

This bill also designates the duties of the assistant commandant. We passed a law providing for an assistant commandant and referred to his general duties, but here we specifically provide what those duties shall be.

The bill also clarifies the laws relating to the discontinuance and reestablishment of light stations and Coast Guard stations. This is so adjusted that when it is believed to be in the interest of economy or wise to change certain stations, that authority shall exist in law without question.

I may say that the bill consists simply of clarifications.

Mr. SCHAFER of Wisconsin. In fact, the bill proposes to increase the efficiency of the Coast Guard, which is an essential arm of our national defense.

Mr. BLAND. I should so construe it.

Mr. SCHAFER of Wisconsin. I withdraw my objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the first proviso of section 2 of the act of January 12, 1923 (42 Stat. 1130), as amended (U. S. C., 1934 ed., Supp. V, title 14, sec. 161), is hereby further amended to read as follows: "Provided, That any officer who has served or shall hereafter serve as Commandant, if heretofore or hereafter retired, whether before or at any time after the termination of his service as Commandant, shall, if receiving the pay of a rear admiral (upper half) at the termination of his service as Commandant, be placed on the retired list with the rank of rear admiral and the retired pay of a rear admiral (upper half), or, if receiving the pay of a rear admiral (lower half) at the termination of his service as Commandant, shall be placed on the retired list with the rank of rear admiral and the retired pay of a rear admiral (lower half), and that any officer whose term of service as Commandant has expired may be appointed a captain and shall be an additional number in that grade, but, if not so appointed, he shall take the place on the lineal list in the grade that he would have attained had he not served as Commandant, and be an additional number in such grade and in the grades to which he may be promoted:"

(b) The second and third provisos of section 2 of the act of January 12, 1923 (42 Stat. 1130), as amended (U. S. C., 1934 ed., Supp. V, title 14, sec. 12), are hereby further amended to read as follows: "Provided further, That the engineer in chief, while so serving, shall have the rank of rear admiral and the pay and allowances of a rear admiral (lower half), and hereafter the engineer in chief shall be selected from the active list of engineering officers not below the grade of commander: Provided further, That any officer who was serving on February 15, 1940, or shall thereafter serve, as engineer in chief shall, when retired, whether before or at any time after the termination of his service as engineer in chief, be retired with the rank of rear admiral and the retired pay of a rear admiral (lower half), and that any officer whose term of service as engineer in chief has expired shall take the place on the lineal list in the grade that he would have attained had he not served as engineer in chief, and be an additional number in such grade and in the grades to which he may be promoted."

Sec. 2. Section 3 of the act of January 12, 1923 (42 Stat. 1131), as amended (U. S. C., 1934 ed., title 14, sec. 174), is hereby further amended by striking out so much of the second proviso thereof as follows the semicolon and inserting in lieu thereof the following: "and, in the case of a captain, the rank and retired pay of one grade above shall be the rank of rear admiral and the retired pay of a rear admiral (lower half). Any officer of the Coast Guard now having the rank of commodore on the retired list shall hereafter have in lieu thereof the rank of rear admiral, without any increase in pay by reason of such change in rank."

Sec. 3. Section 1 of the act of April 16, 1908 (35 Stat. 61), as amended and supplemented (U. S. C., 1934 ed., Supp. V, title 14, secs. 11 and 11 (a)), is hereby further amended by changing the last paragraph thereof to read as follows:

"The President is authorized to appoint in the Coast Guard, by and with the advice and consent of the Senate, one Assistant Commandant who shall serve for a term of 4 years unless sooner relieved by the President. The Assistant Commandant shall perform such duties as the Commandant of the Coast Guard may prescribe and shall act as Commandant during the absence or disability of the Commandant or in the event that there is a vacancy in the office of Commandant. The Assistant Commandant shall be selected from the active list of line officers not below the grade of commander, and such appointment shall not create a vacancy; and the Commandant of the Coast Guard shall make recommendations for the appointment of the Assistant Commandant. The Assistant Commandant shall have the rank of rear admiral and the pay and

allowances of a rear admiral (lower half): Provided, That an officer whose term of service as Assistant Commandant has expired shall take his place on the lineal list in the grade that he would have attained had he not served as Assistant Commandant: Provided further, That any officer who was serving on February 15, 1940, or shall thereafter serve, as Assistant Commandant shall, when retired, whether before or at any time after the termination of his service as Assistant Commandant, be retired with the rank of rear admiral and the retired pay of a rear admiral (lower half)."

Sec. 4. Section 2 of the act of May 4, 1882 (22 Stat. 56), as amended and supplemented (U. S. C., 1934 ed., title 14, sec. 93), is hereby further amended to read as follows:

"The Secretary of the Treasury, on the recommendation of the Commandant of the Coast Guard, may discontinue from time to time any Coast Guard station, house of refuge, or light station, as may from any cause become useless or unnecessary. Any Coast Guard station, house of refuge, or light station, thus discontinued, may be reestablished by the Secretary of the Treasury, upon like recommendation, whenever he believes such reestablishment to be required by the public interest."

Sec. 5. Section 4674 of the Revised Statutes, as amended and supplemented (U. S. C., 1934 ed., title 33, sec. 742), is hereby repealed.

Sec. 6. Section 7 of the act of May 14, 1908 (35 Stat. 162), as amended and supplemented (U. S. C., 1934 ed., title 33, sec. 741), is hereby repealed.

Sec. 7. The provisions of section 6 of the act approved June 20, 1918 (40 Stat. 608), as amended and supplemented (U. S. C., 1934 ed., Supp. V, title 33, secs. 763 and 763a-1), shall not apply to persons of the Coast Guard other than officers and employees of the former Lighthouse Service who, on June 30, 1939, met the requirements for retirement (except those relating to age and period of service) of said section.

Sec. 8. Section 4 of the Coast Guard Reserve Act of 1939, approved June 23, 1939 (53 Stat. 855; U. S. C., 1934 ed., Supp. V, title 14, sec. 254), is hereby amended to read as follows:

"Sec. 4. The Coast Guard is authorized to utilize in the conduct of duties incident to the saving of life and property, or in the patrol of marine parades and regattas, any motorboat or yacht temporarily placed at its disposition for any of such purposes by any member of the Reserve: Provided, That no such motorboat or yacht shall be assigned to any such Coast Guard duty unless it is placed in charge of a commissioned officer, chief warrant officer, warrant officer, or petty officer of the Coast Guard during such assignment: Provided further, That appropriations for the Coast Guard shall be available for the payment of actual necessary expenses of operation of any such motorboat or yacht when so utilized, but shall not be available for the payment of compensation for personal services, incident to such operation, to other than the personnel of the regular Coast Guard. The term 'actual necessary expenses of operation', as used herein, shall include fuel, oil, water, supplies, provisions, and any replacement or repair of equipment or any repair of the motor boat or yacht where, upon investigation by a board of not less than three commissioned officers of the Coast Guard, it is determined that responsibility for the loss or damage necessitating such replacement or repair of equipment or such repair of the motorboat or yacht rests with the Coast Guard."

Sec. 9. The Coast Guard Reserve Act of 1939, approved June 23, 1939 (53 Stat. 854; U. S. C., 1934 ed., Supp. V, title 14, sec. 251 and the following is hereby further amended by adding at the end thereof a new section as follows:

"Sec. 9. Pursuant to such rules and regulations as the Commandant may prescribe, correspondence courses of the Coast Guard Institute may be made available to members of the Reserve: Provided, That the actual cost of the study materials for each such course shall be paid by the member of the Reserve taking such course and the proper Coast Guard appropriation shall be credited accordingly."

Sec. 10. (a) Enlisted men of the Coast Guard, and civilian officers and civilian crews of lightships and tenders shall be allowed a ration, or commutation thereof in money, in such an amount and under such limitations and regulations as the Secretary of the Treasury may prescribe. Money for commuted rations authorized herein shall, in the discretion of the Secretary of the Treasury, and subject to such rules and regulations as he may prescribe, be paid on proper vouchers or pay rolls to persons entitled to receive it, or to the officers designated by the Commandant of the Coast Guard to administer the financial affairs of the masses in which such persons may be subsisted.

(b) Money paid for commuted rations, as authorized by subsection (a) of this section, to the officers so designated by the Commandant, may be deposited in general or limited depositories of public money or in any bank in which deposits are insured and expended and accounted for in such manner and under such regulations as the Secretary of the Treasury may prescribe.

(c) Nothing contained in this section shall be construed as modifying or changing in any manner the provisions of section 11 of the act of June 10, 1922 (42 Stat. 630; U. S. C., 1934 ed., title 37, sec. 19), pertaining to subsistence allowances for enlisted men: Provided, That no ration or commutation thereof shall be allowed to a person receiving a subsistence allowance: Provided further, That the value of a commuted ration as fixed by the

Secretary of the Treasury, shall not exceed the value of a subsistence allowance as determined by regulations prescribed by the President in accordance with the provisions of section 11 of such act of June 10, 1922.

With the following committee amendment:

Page 8, following line 21, insert the following:

"Sec. 11. The provisions of the act entitled 'An act authorizing appropriations to be made for the disposition of the remains of personnel of the Navy and Marine Corps and certain civilian employees of the Navy, and for other purposes,' approved April 20, 1940, Public Law No. 465, Seventy-sixth Congress, third session, shall apply to the officers and enlisted men and civilian personnel of the Coast Guard in like manner as to the personnel of the Navy and civilian personnel of the Navy Department or the Naval Establishment, whether the Coast Guard is operating under the Treasury Department or operating as a part of the Navy, and all of the duties which devolve upon the Secretary of the Navy under said act with reference to the personnel of the Navy and civilian personnel of the Navy Department or the Naval Establishment shall devolve upon the Secretary of the Treasury with respect to the officers and enlisted men and civilian personnel of the Coast Guard."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CANAL ZONE CODE

The Clerk called the next bill, H. R. 9603, to amend the Canal Zone Code.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2264 of title 3 of the Canal Zone Code, approved June 19, 1934, is hereby amended to read as follows:

"2264. When void as to third person: A mortgage of personal property is void as against creditors of the mortgagor and subsequent purchasers and encumbrancers of the property in good faith and for value, unless—

"1. It is accomplished by the affidavit of all the parties thereto that it is made in good faith and without any design to hinder, delay, or defraud creditors;

"2. It is acknowledged or proved and certified in the manner prescribed in chapter 22 of this title; and

"3. It, or a true copy, is filed in the office of the registrar of property of the Canal Zone."

Sec. 2. That section 2265 of title 3 of the Canal Zone Code is hereby amended to read as follows:

"2265. Filing: The registrar of property shall mark upon the mortgage of personal property, or copy, filed with him the day and hour of filing and shall file the mortgage, or copy, in his office for public inspection. He shall keep a separate book in which he shall enter the names of the mortgagor and the mortgagee, the date of the mortgage, the day and hour of filing, a brief description of the property mortgaged and the amount of the mortgage. Such book shall be indexed under the names of both mortgagor and mortgagee. For filing and entering such mortgage or copy, or any assignment of such mortgage, the registrar shall be entitled to a fee of 50 cents."

Sec. 3. That article 2, chapter 63, title 3, Canal Zone Code, is hereby amended by adding immediately after section 2265, a new section No. 2265a and reading as follows:

"2265a. Filing assignment of mortgage, notice to mortgagor: An assignment of a mortgage of personal property may be filed in like manner as a mortgage of personal property, and each filing operates as notice to all persons subsequently deriving title to the mortgage from the assignor: *Provided*, That when a mortgage of personal property is executed as security for money due, or to become due, on a promissory note, bond, or other instrument designated in the mortgage, the filing of the assignment of the mortgage is not, of itself, notice to a mortgagor, his heirs, or personal representatives, so as to invalidate any payment made by them, or either of them, to the person holding such note, bond, or other instrument."

Sec. 4. That article 2, chapter 63, title 3, Canal Zone Code, is hereby amended by adding at the end of the said article a new section No. 2274, and reading as follows:

"2274. Mortgage of personal property, how discharged: Upon the payment or satisfaction of a mortgage of personal property, the mortgagee, his assignee, or legal representative, upon the request of the mortgagor or of any person interested in the mortgaged property, must execute, acknowledge, and deliver to the person requesting it a certificate setting forth such payment or satisfaction. If the mortgagee, his assignee, or legal representative shall refuse to execute, acknowledge, and deliver to the mortgagor or other person interested in the mortgaged property the certificate provided for herein he shall forfeit to the person requesting such certificate the sum of \$5 and be liable for all damages suffered by reason of such refusal. Upon presentation of the certificate of payment or satisfaction to the registrar of property, he shall file the same and note the discharge of the mortgage and the date thereof on the margin of the page where the mortgage has been

entered. For filing and entering the certificate of payment or satisfaction, the registrar shall be entitled to a fee of 25 cents."

Sec. 5. That section 784 of title 5 of the Canal Zone Code is hereby amended to read as follows:

"784. Taking vehicle for temporary use or operation: Any person who shall, without the permission of the owner thereof, take any automobile, bicycle, motorcycle, or other vehicle, for the purpose of temporarily using or operating the same, shall be punished for the first offense by a fine of not more than \$100 or by imprisonment in jail for not more than 30 days, or by both, and shall be punished for each subsequent offense by a fine of not more than \$500 or by imprisonment in jail for not more than 6 months, or by both."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WEATHER BUREAU STATION AT BOSTON

The Clerk called the next bill, H. R. 9064, to authorize an appropriation for a Weather Bureau station at Boston.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000 to enable the Chief of the Weather Bureau, under the direction of the Secretary of Agriculture, to establish at Boston a meteorological station.

Mr. CHURCH. Mr. Speaker, I offer an amendment, which I understand the author of the bill will accept.

Mr. McCORMACK. I have no objection to the amendment, Mr. Speaker.

The Clerk read as follows:

Amendment offered by Mr. CHURCH: Page 1, strike out all of line 7 and insert in lieu thereof the following: "to provide additional personnel and facilities at the meteorological station at Boston, Mass., for the purpose of rendering additional weather and forecast service to the New England area."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF THE UTE INDIANS

The Clerk called the next bill, S. 72, to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. This completes the call of the eligible bills on the calendar.

TO PROHIBIT THE EXPORTATION OF TOBACCO SEED AND PLANTS, EXCEPT FOR EXPERIMENTAL PURPOSES

Mr. KERR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9560) to prohibit the exportation of tobacco seed and plants, except for experimental purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, under the rules this bill would not be eligible for consideration today. I would object to its consideration if it were not for the fact that this bill has been on the calendar frequently and has been explained to the House and for that reason I shall not object to taking it up at this time.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KERR. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 3530) to prohibit the exportation of tobacco seed and plants, except for experimental purposes, may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That it shall be unlawful to export any tobacco seed and/or live tobacco plants from the United States or any Territory subject to the jurisdiction thereof, to any foreign country, port, or place, unless such exportation and/or transportation is in pursuance of a written permit granted by the Secretary of Agriculture. Such permit shall be granted by the Secretary only upon application therefor and after proof satisfactory to him that such seed or plants are to be used for experimental purposes only.

Sec. 2. Any persons violating any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately following the action on the bill called up by the gentleman from North Carolina [Mr. KERR].

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, this piece of legislation means much to the tobacco growers of America. It probably means more to them than any other single piece of tobacco legislation ever considered by the Congress. It means the preservation, and probably the expansion, of tobacco growing in America. Its defeat means not only curtailing our tobacco acreage, but transferring the curtailed acreage to foreign countries.

It may be true that at the moment the flue-cured growers in the South are the ones who are most vitally affected. This type of tobacco is indigenous to the southern section of the United States and is used by every cigarette manufacturer, not only in America but throughout the entire world in the popular brands of cigarettes. Until recently flue-cured tobacco was only grown in the southern part of the United States. Now, what has happened? Simply this: It was found that by using American flue-cured tobacco seed in certain foreign countries that these countries could grow flue-cured tobacco practically as good as the American flue-cured tobacco, but it was further learned that after 2 to 3 years the flue-cured tobacco would revert to the native type of the foreign country, and hence lose its commercial value. What does this mean? It means that these foreign countries, in order to continue in the growing of flue-cured tobacco, have to secure flue-cured tobacco seed from the American flue-cured tobacco growers every 2 or 3 years. And this means that if we stop the exportation of flue-cured American tobacco seed we stop the growing of flue-cured tobacco in foreign countries and keep this foreign flue-cured tobacco acreage in America, for the American tobacco growers, right where it belongs. To impress upon you the gravity of the situation, let me call your attention to the fact that today the British manufacturers and their subsidiaries are using annually more than 100,000,000 pounds of flue-cured tobacco grown in foreign countries from American seed. This means, to say the least, that the exportation of American tobacco seed is taking away from the American flue-cured growers 100,000 acres of flue-cured tobacco. Let me translate this into flue-cured tobacco farms: This year the Department of Agriculture is allotting 760,000 acres of flue-cured tobacco to 192,000 flue-cured farm units, an average of, roughly speaking, 4 acres per farm unit. Now, on this basis, allowing 1,000 pounds of flue-cured tobacco per acre, the 100,000,000 pounds we are losing by reason of permitting the exportation of tobacco seed, would take care of an additional 25,000 farm units, or increase the present allotment to the 192,000 farmers around 12½ percent.

Now, what I have recited applies only to flue-cured tobacco. It may be that by using American seed foreign

countries can produce Burley and other types of American tobacco. If this is true, the situation would be further aggravated.

Mr. Speaker, I ask permission to insert at this point the report I made on H. R. 9560 on May 16, 1940, when the bill was favorably reported by the Agriculture Committee to the House.

[H. Rept. No. 2198, 76th Cong., 3d sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 9560) to prohibit the exportation of tobacco seed and plants except for experimental purposes, having considered the same, report thereon with a recommendation that it do pass.

STATEMENT

The exportation of flue-cured tobacco, the type grown in Virginia, North Carolina, South Carolina, and Georgia, is one of the most important features in international trade. This extensive business with the world has enabled us for several years to retain a balance of trade in our favor.

This type of tobacco, used by every cigarette manufacturer throughout the world in making popular cigarettes, is blended with other tobaccos in producing the cigarette which is now universally used and the demand for which has increased tremendously in recent years.

Until a few years ago this type of tobacco was grown only in the United States. The British manufacturers own and control a large percentage of the business in foreign countries, and until recently they bought their tobacco from the United States and purchased more than one-half of our crop annually. These foreign exporters, in order to get cheaper tobacco, and tobacco which by preferential tariff taxes would cost them much less, conceived the idea of getting American seed from the American farmer through their local buyers and growing a substitute for our tobacco grown in the United States. This tobacco is being grown in the British Empire and those areas where the British manufacturers or their subsidiaries control the cigarette business; so these seed were taken out of the United States and sent to Canada, India, Australia, Rhodesia, and other provinces and were planted there by their farmers, who were encouraged to grow this type of tobacco as a substitute for the American type.

It was discovered in foreign areas that they could use our seed and from these seed could grow for 2 or 3 years a substitute for our tobacco, but that after 2 or 3 years the tobacco grown from these American seed would revert to the native type of the foreign country and lose its commercial value. The American flue-cured tobacco is indigenous to the southern section of the United States; the soil and climate of this section of the United States provide the properties which make this flue-cured tobacco the best smoking tobacco grown in the world, and it will not retain these properties when planted in other countries, even as a substitute, for longer than 2 or 3 years; therefore, it is necessary for foreign countries to secure annually large quantities of our tobacco seed.

Japan is getting our seed and scientifically encouraging farmers in Manchuria and elsewhere to grow a substitute for our flue-cured tobacco by using our seed. In six or seven provinces in China they are growing from our seed a substitute for our tobacco. India has for a long time been one of the large tobacco-growing countries, but until recently they did not attempt to grow American flue-cured tobacco. Now, under the direction and with the encouragement of the British Government and manufacturers, India is getting our seed and producing millions of pounds of tobacco as a substitute for American cigarette tobacco. It is conservatively estimated that British manufacturers and their subsidiaries are now using more than 100,000,000 pounds of flue-cured tobacco grown from American seed.

To encourage the growth of our type of cigarette tobacco the Chinese Government has put a high tax rate on high-grade cigarettes made from tobacco imported from the United States. The British Government has placed a much higher tax on tobacco imported from the United States than that grown from our seed in their own country, notwithstanding the fact that their substitute is grown from our seed and displaces our business.

Many other countries—Turkey, Greece, and Sumatra—protect their tobacco industries and will not allow their seed or plants to be sent to other countries for commercial purposes; for they, like the United States, grow a particular type of tobacco.

The purpose of the proposed legislation is to prevent the ultimate destruction of the export tobacco industry of this country, and the facts stated in this report cannot be denied, and the proposed measure does not involve the rights of nations to secure seed or plants for experimental purposes.

These tobacco seed are procured by the local representatives and buyers of foreign countries. They often peg the prices of a good farmer's tobacco and then ask him as a favor to give them some of his seed; and the farmer, not knowing that this is something which is destroying his own business, consents to give the representative the seed, which are sent to a foreign country usually in a package of exported American tobacco.

The procurement of these seed involves no international or American commercial business.

Farmers who are more sensitive probably as a class, would not furnish their seed if they knew that they were breaking down their own business or violating the law.

In 1928, when British India began to grow a substitute for American flue-cured tobacco from seed sent them from the United States, they produced 32,000 pounds; 10 years thereafter, in 1938, this production had increased to 36,000,000 pounds. When this tobacco is exported to other areas of the British Empire there is only charged a duty of \$1.85 per pound, as against \$2.35 on the pure American leaf.

AMENDMENT OF RAILROAD RETIREMENT ACTS OF 1935 AND 1937.
THE CARRIERS TAXING ACT OF 1937, AND SUBCHAPTER B OF CHAPTER 9 OF THE INTERNAL REVENUE CODE

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 496) providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code.

The Clerk read the title of the joint resolution.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I believe we should have an explanation of the purpose of the resolution.

Mr. BULWINKLE. Mr. Speaker, briefly, under the Railroad Retirement Act, all employees and employers of the railroads have to pay so much into a common fund. In the case of the Pullman Co. running into Mexico, the Pullman Co. has paid its part on the employees that live in Mexico and work in Mexico, but these employees in Mexico have not paid their part. They cannot collect it from them under the Mexico law, and the purpose of this is to amend the act insofar as it affects those living in foreign countries, where they work and live entirely in foreign countries. The Railway Retirement Board and certain brotherhoods have asked for the passage of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the joint resolution, as follows:

House Joint Resolution 496

Resolved, etc., That subsection (c) of section 1 of the Railroad Retirement Act of 1937, approved June 24, 1937 (50 Stat. 307), is hereby amended by changing the period at the end thereof to a colon and adding the following: "Provided further, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

Subsection (d) of section 1 of said act is hereby amended by substituting for the proviso therein the following: "Provided, however, That an individual shall not be deemed to be in the employment relation to an employer unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (c) of this section."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Railroad Retirement Act of 1937 when that act was enacted on June 24, 1937.

SEC. 2. Subsection (c) of section 1 of the Railroad Retirement Act of 1935, approved August 29, 1935 (49 Stat. 967), is hereby amended by changing the period at the end thereof to a colon and adding the following: "Provided, however, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of a carrier when rendering service outside the United States to a carrier conducting the principal part of its business in the United States if such carrier is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

Subsection (d) of section 1 of said act is hereby amended by changing the period at the end thereof to a colon and adding the following: "Provided, however, That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of a carrier in accordance with subsection (c) of this section."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Railroad Retirement Act of 1935 when that act was enacted on August 29, 1935.

SEC. 3. Subsection (b) of section 1532 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 1), is hereby amended by substituting for the second proviso therein the following: "Provided, however, That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (d) of this section."

Subsection (d) of section 1532 of said code is hereby amended by changing the period at the end thereof to a colon and adding the following: "Provided further, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Internal Revenue Code when that code was enacted on February 10, 1939, and as if they had been part correspondingly of subsections (b) and (d) of the Carriers Taxing Act of 1937 (50 Stat. 435) when that act was enacted on June 29, 1937.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE WILMOT NATIONAL GUARD TARGET RANGE

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to return to Calendar No. 714, the bill (S. 2122) to authorize the sale of the Wilmot National Guard target range, Arizona. I spoke to the objector a few moments ago, explaining the bill fully, and he will not object.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to sell at public sale, after such advertisement and under such regulations as he may prescribe, the Wilmot National Guard target range, consisting of sections 1 and 12, township 15 south, range 14 east, Gila and Salt River base and meridian, Arizona, and to utilize the proceeds of such sale for the construction of necessary improvements at the National Guard camp located at Flagstaff, Ariz.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PROTECTION OF THE BALD EAGLE

Mr. CLASON. Mr. Speaker, I ask unanimous consent to return to Calendar No. 718, H. R. 4832, for the protection of the bald eagle.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. I understand that the Delegate from Alaska has an amendment to offer to this bill.

Mr. DIMOND. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Whereas the Continental Congress in 1782 adopted the bald eagle as the national symbol; and

Whereas the bald eagle thus became the symbolic representation of a new nation under a new government in a new world; and

Whereas by that act of Congress and by tradition and custom during the life of this Nation, the bald eagle is no longer a mere bird of biological interest but a symbol of the American ideals of freedom; and

Whereas the bald eagle is now threatened with extinction: Therefore

Be it enacted, etc., That whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted so to do as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle, commonly known as the American eagle, alive or dead, or any part, nest, or egg thereof, shall be fined not more than \$500 or imprisoned not more than 6 months, or both: *Provided, That* nothing herein shall be construed to prohibit possession or transportation of any such eagle, alive or

dead, or any part, nest, or egg thereof, lawfully taken prior to the effective date of this act, but the proof of such taking shall lie upon the accused in any prosecution under this act.

Sec. 2. That whenever after investigation the Secretary of Agriculture shall determine that it is compatible with the preservation of the bald eagle as a species to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, or zoological parks, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality he may issue permits therefor under regulations which he is hereby authorized and directed to prescribe.

Sec. 3. That for the efficient execution of this act section 5 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936 (49 Stat. 1555), shall be deemed to be incorporated herein in haec verba.

Sec. 4. That as used in this act "whoever" includes also associations, partnerships, and corporations; "take" includes also pursue, shoot, shoot at, wound, kill, capture, trap, collect, or otherwise willfully molest or disturb; "transport" includes also ship, convey, carry, or transport by any means whatever, and deliver or receive or cause to be delivered or received for such shipment, conveyance, carriage, or transportation.

Sec. 5. That moneys now or hereafter available to the Secretary of Agriculture for the administration and enforcement of the aforesaid Migratory Bird Treaty Act of July 3, 1918, shall be equally available for the administration and enforcement of this act.

Mr. DIMOND. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 2, line 2, after the comma, insert the following: "except the Territory of Alaska."

The SPEAKER. The question is on agreeing to the amendment offered by the Delegate from Alaska.

The amendment was agreed to.

Mr. CLASON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CLASON: Page 2, line 15, strike out the word "Agriculture" and insert the word "Interior", and on page 3, line 18, strike out "Agriculture" and insert "Interior."

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AMENDMENT TO TOBACCO ADJUSTMENT ACT

Mr. WARREN. Mr. Speaker, I ask unanimous consent for the present consideration of Calendar No. 756, H. R. 9700, to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes. This bill has the unanimous report from the Committee on Agriculture and it has been agreed to as I understand it by all the Members of Congress from the tobacco districts, and by the tobacco farmers generally.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object, to ask the gentleman from North Carolina to explain the bill. We have not had an opportunity to see it.

Mr. WARREN. I do not happen to have a copy of the bill with me. We thought the bill would be reached today. It makes certain amendments to the Tobacco Control Act, which is in accordance with the desire of all of the farmers that we have been able to hear from, and approved by the Department. These amendments are considered absolutely necessary to carry forward the program, which they have voted overwhelmingly for this year.

Mr. WOLCOTT. What is the necessity for expediting the consideration of it? It was put on the calendar on May 16.

Mr. WARREN. Because the election for the future year is to be held in July, and I am sure that the gentleman from Michigan understands that 60 percent of the tobacco crop is export, and that there has been an embargo placed on the export part of the crop by the British.

Mr. AUGUST H. ANDRESEN. As I understand it, the bill provides that the tobacco farmers may vote to have themselves controlled by the Department for a 3-year period instead of a 1-year period.

Mr. WARREN. That is one of the six amendments.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. WARREN. Yes.

Mr. SCHAFER of Wisconsin. Must this bill be enacted because of the British embargo on American tobacco?

Mr. WARREN. I would not say that, but that is one of the reasons why we are anxious to have this referendum before the next crop is marketed, if we expect to get any help from the Department.

Mr. SCHAFER of Wisconsin. And we will have to enact this bill to help our American tobacco farmers, because we repealed the arms embargo, and the British are now spending their money for munitions and implements of war and not tobacco.

Mr. WARREN. The tobacco farmers have never cost this Government one copper cent by reason of the control program, and more taxes come into the Government from tobacco than from any other single source.

Mr. SCHAFER of Wisconsin. That is not my point. The British have placed an embargo on American tobacco and stopped buying many millions of dollars' worth of American tobacco which they formerly bought. Great Britain today is buying munitions of war and implements of war and has no money to buy American tobacco as they have in the past. The American tobacco farmers are now feeling the result of the repeal of the arms embargo.

Mr. WARREN. The tobacco farmers are feeling the present situation, and I say to the gentleman that it is imperative in my opinion that this bill should be passed before another crop will be placed on the market.

Mr. MARTIN of Massachusetts. When will the next crop come?

Mr. WARREN. It begins in July.

Mr. MARTIN of Massachusetts. And suppose this bill goes over until tomorrow or next day, when we will have an opportunity to consult the members of the Committee on Agriculture? The gentleman, I think, could get unanimous consent for it then.

Mr. WARREN. If the gentleman wishes it to go over I shall be glad to yield to him, but I am stating to the gentleman that I am informed that the bill came out of the Committee on Agriculture unanimously, and that these amendments have been a source of discussion and preparation by the members from the tobacco districts for the last 5 months.

Mr. FLANNAGAN. Mr. Speaker, will the gentleman yield?

Mr. WARREN. Yes.

Mr. FLANNAGAN. These amendments have been under consideration for 2 or 3 months, and finally the tobacco interests got together and agreed on them, and it is imperative that we secure action as soon as possible.

Mr. MARTIN of Massachusetts. I do not dispute that, but it is quite irregular to have it taken up in this way, without warning.

Mr. FLANNAGAN. And in that connection I would like to state that another bill is pending amending the act so as to include the shade grown tobacco in the Connecticut Valley.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (3) (C) of section 301 (b) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting after the comma following the words "calendar year then current" the following: "except that it shall not include any amount of such tobacco of the 1939 and 1940 crops which the Secretary determines is stored temporarily in the United States because of war or other unusual conditions delaying the normal exportation thereof, and."

Sec. 2. That subsection (a) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the figure "10" in the last sentence and inserting in lieu thereof the figure "20", and by striking out the period at the end of the last sentence and inserting in lieu thereof a comma and the following: "or to avoid undue restriction of marketings in adjusting the total supply to the reserve supply level."

Sec. 3. That subsection (c) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding thereto

the following: "In the same referendum the Secretary shall also submit to such farmers the question of whether they favor tobacco marketing quotas for a period of 3 years, beginning with the marketing year next following. If two-thirds of the farmers voting on this question favor marketing quotas for a 3-year period, the Secretary shall proclaim marketing quotas for such period, and, beginning on the first day of the marketing year next following and continuing throughout the period so proclaimed, a national marketing quota shall be in effect for the tobacco marketed during each marketing year in said period unless amendments are made in the provisions for determining farm allotments so as to cause material revision of such allotments before the end of such period. If more than one-third of the farmers voting on this question oppose marketing quotas for the 3-year period, such result shall be proclaimed by the Secretary and quotas for a longer period than 1 year shall not be in effect, but such result shall in no wise affect or limit the proclamation and submission to a referendum, as otherwise provided in this section, of a national marketing quota for any marketing year thereafter."

Sec. 4. That subsection (a) of section 313 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the colon and all the words thereafter which follow the words "such 5-year period" and inserting in lieu thereof a period and the following: "Notwithstanding any other provision of this section and section 312, except the provisions in subsection (g) of this section relating to reduction of allotments, for any of the 3 marketing years, 1941-42 to 1943-44, in which a national marketing quota is in effect for burley or flue-cured tobacco, such national marketing quota shall not be reduced below the 1940-41 national marketing quota by more than 10 percent and the farm-acreage allotments (other than allotments established in each year under subsection (g) of this section for farms on which no tobacco was produced in the last 5 years) shall be determined by increasing or decreasing the farm-acreage allotments established in the last preceding year in which marketing quotas were in effect in the same ratio as such national marketing quota is increased or decreased above or below the last preceding national marketing quota: *Provided*, That in the case of flue-cured tobacco no allotment shall be decreased below the 1940 allotment if such allotment was 2 acres or less, and in the case of burley tobacco no allotment shall be decreased below the 1939 allotment if such allotment was one-half acre or less, or below the 1940 allotment if such allotment was over one-half acre and not over 1 acre: *And provided further*, That an additional acreage not in excess of 2 percent of the total acreage allotted to all farms in each State in 1940 shall be allotted by the local committees, without regard to the ratio aforesaid, among farms in the State in accordance with regulations prescribed by the Secretary so as to establish allotments which the committees find will be fair and equitable in relation to the past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; and crop-rotation practices."

Sec. 5. That section 314 of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting "(a)" immediately before the first word therein and by adding at the end of the section the following: "If any producer falsely identifies or fails to account for the disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in excess of the farm-acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm, and the penalty in respect thereof shall be paid and remitted by the producer. Tobacco carried over by the producer thereof from one marketing year to another may be marketed without payment of the penalty imposed by this section if the total amount of tobacco available for marketing from the farm in the marketing year from which the tobacco is carried over did not exceed the farm marketing quota established for the farm for such marketing year (or which would have been established if marketing quotas had been in effect for such marketing year), or if the tobacco so carried over does not exceed the normal production of that number of acres by which the harvested acreage of tobacco in the calendar year in which the marketing year begins is less than the farm-acreage allotment. Tobacco produced in a calendar year in which marketing quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though it is marketed prior to the date on which such marketing year begins."

"(b) The Secretary shall require collection of the penalty upon a proportion of each lot of tobacco marketed from the farm equal to the proportion which the tobacco available for marketing from the farm in excess of the farm marketing quota is of the total amount of tobacco available for marketing from the farm if satisfactory proof is not furnished as to the disposition to be made of such excess tobacco prior to the marketing of any tobacco from the farm. All funds collected pursuant to this section shall be deposited in a special deposit account with the Treasurer of the United States until the end of the marketing year next succeeding that in which the funds are collected, and upon certification by the Secretary there shall be paid out of such special deposit account to persons designated by the Secretary the amount by which the penalty collected exceeds the amount of penalty due upon tobacco marketed in excess of the farm marketing quota for any farm. Such special account shall be administered by the Secretary, and the basis for, the amount of, and the person entitled to receive a payment from such account, when determined in accordance with regulations prescribed by the Secretary, shall be final and conclusive."

Sec. 6. That subsection (a) of section 373 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the

period at the end of such subsection and inserting in lieu thereof a semicolon and by adding the following: "and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required by this subsection within 15 days after notice to him of such violation shall be subject to an additional fine of \$100 for each 10,000 pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed \$5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at any established place of business operated by him, or both."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONNECTICUT VALLEY SHADE-GROWN TOBACCO

Mr. FLANNAGAN. Mr. Speaker, there is another tobacco amendment that has been agreed upon affecting the shade-grown tobacco of the Connecticut Valley.

The SPEAKER. Does the gentleman ask unanimous consent for the present consideration of the bill?

Mr. FLANNAGAN. I do, Mr. Speaker. I ask unanimous consent for the immediate consideration of the bill (H. R. 9702) to amend the Agricultural Adjustment Act of 1938, as amended, to provide that marketing-quota provisions with respect to tobacco shall be applicable to Connecticut Valley shade-grown tobacco.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 301 (b) (7) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting after the word "flue-cured" in each of the parentheses the words "and Connecticut Valley shade-grown."

Sec. 2. Section 301 (b) (10) (B) of such act, as amended, is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "except that, in the case of Connecticut Valley shade-grown tobacco, the 'normal supply' shall be a normal year's domestic consumption and exports plus 125 percent thereof."

Sec. 3. Section 301 (b) (15) of such act, as amended, is amended by striking out the period after the figure "41" and inserting in lieu thereof a semicolon, and by adding thereafter the following paragraph:

"Connecticut Valley shade-grown tobacco, comprising type 61."

Sec. 4. Section 312 of such act, as amended, is amended by adding at the end thereof the following subsection:

"(g) Notwithstanding any other provisions of this act, the Secretary shall, within 15 days after the enactment of this subsection (g), proclaim the amount of the total supply of Connecticut Valley shade-grown tobacco for the marketing year therefor beginning July 1, 1939, and a national marketing quota shall be in effect for Connecticut Valley shade-grown tobacco marketed during the marketing year for such tobacco beginning July 1, 1940. The Secretary shall also determine and specify in such proclamation the amount of such national marketing quota in terms of the total quantity of such tobacco which may be marketed, which will make available during the marketing year beginning July 1, 1940, a supply of such tobacco equal to the reserve supply level. The referendum with respect to such quota, pursuant to subsection (c) of this section, shall be held and the results thereof proclaimed within 45 days after the enactment of this subsection (g)."

Sec. 5. Section 314 of such act, as amended, is amended by inserting immediately after the words "subject to a penalty of", in the first sentence of such section, the words "25 cents per pound in the case of Connecticut Valley shade-grown tobacco", and by adding at the end of such section the following: "Notwithstanding the foregoing provisions of this section, the marketing of Connecticut Valley shade-grown tobacco produced prior to 1940 shall not be subject to penalty."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SLUM CLEARANCE IN TERRITORY OF ALASKA

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to return to Calendar No. 692 (H. R. 8884), to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes.

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

Mr. TABER. Mr. Speaker, I object.

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I am today in receipt of a statement made yesterday evening by the secretary of the Association of Southern Commissioners of Agriculture.

The author, who is the secretary of that association, sent that statement to me, together with a request that I introduce into this body a resolution calling for an additional appropriation of \$100,000,000 to the Federal Surplus Commodity Corporation.

A perusal of that document, which is founded on fact, discloses a deep insight into the economics of our present agricultural price structure and exhibits these in a manner which makes it a document well worthy of the careful and studied consideration of every Member of this body.

Mr. Speaker, in speaking for agriculture, it is to be remembered that the Association of Southern Commissioners of Agriculture is itself a part and parcel of the National Association of Agricultural Commissioners, Secretaries, and Directors of Agriculture. In this instance the southern commissioners are speaking in behalf of our national agricultural economy.

The request made by the secretary of that association is the expression of a group of farm associations and organizations which held a meeting yesterday. The statement is endorsed by the representative of the National Grange, the representative of the National Farmers Guild, the president of the Domestic Oils and Fats Conference, as well as by several leading Members of this Congress, who are representatives not alone of southern agricultural districts and constituencies but of northern and western agriculture as well.

They come to this body with a righteous appeal. They ask that we in the House now take cognizance of the often-repeated "Declared policy of Congress," to achieve in behalf of our farmers and agricultural producers a parity of income as well as a parity of price.

They not only point out the enormous losses already suffered but the potential losses which will be continued and suffered by our agricultural producers unless we in this Congress make it possible to temporarily stabilize the prices of our agricultural products, and prevent the current disastrous decline to continue in the immediate future as a result of the present European war, and its resultant financial upset and conditions.

Mr. Speaker, I am introducing into the hopper today a joint resolution formulated in accordance with the request made upon me by the secretary of the commissioners of agriculture in behalf of those farm groups.

The document which they sent me and to which I refer is not a long document. I would therefore like to present it to this body in full and in addition thereto, and for the benefit of those members who are not now present, insert the same in the RECORD for later and more studied perusal by all Members.

The following is the statement issued by the agricultural meeting held yesterday, together with a copy of the joint resolution, drawn to meet their request:

ONE HUNDRED MILLION DOLLARS ADDITIONAL APPROPRIATIONS FOR COMMODITY PURCHASES TO BE REQUESTED

Concurrent with Secretary Wallace's request that the Board of Trade prohibit trading in grains below yesterday's closing price, notice was sent out by the southern commissioners of agriculture, making request for a meeting of farm leaders at the Raleigh Hotel, Washington, this afternoon.

There was a quick response to this call. The conference was attended by national representatives of leading farm producers' and processors' organizations as well as by Members of Congress from both the cotton-producing South and the Mississippi Valley Corn Belt.

Among the farm organizations' representatives were Col. C. C. Hanson, secretary to the southern commissioners of agriculture; W. S. Snow, president of the Domestic Oil and Fats Conference; Fred H. Brenckman, Washington representative of the National Grange, and E. E. Kennedy, National Farm Guild.

At the conclusion of the conference, Col. C. C. Hanson was directed to announce in behalf of the conferees that tomorrow they would seek to have introduced into the Senate a joint

resolution asking that an additional \$100,000,000 be placed at the disposal of the Surplus Commodities Corporation.

This sum, Colonel Hanson explained, "would be used in the purchase of agricultural crops in a price-supporting movement to insure against further price disturbance from current war development."

The colonel pointed out that the present decline in agricultural prices might well presage more than a temporary upset in prices. "Despite the apparent shortage in our wheat crop this year," he declared, "wheat has now tumbled 30 cents a bushel in the last week. But worse still, 'The decline is occurring at the very time when farmers in the southern part of the winter wheat belt are actually making plans for the harvest of this year's wheat crop.'"

Colonel Hanson then explained that those attending the conference had thoroughly reviewed in detail and discussed at length the action of the Canadian authorities in "pegging" the price of Canadian wheat in order to protect their farmers. He disclosed the further fact that discussion was had as to the advisability of the United States Federal Government adopting similar measures with reference to our own major crops, inclusive of hog lard, peanut and cottonseed oil. He stated that they were in full concurrence with Secretary Wallace's attitude in the matter.

Declaring that the present price decline involved the potential loss of millions of dollars to American producers, the colonel expressed the confidence of the conferees that Congress would make the appropriation of \$100,000,000 available at once in order to protect our cotton, hog, and grain farmers, as well as livestock industry against further adverse and devastating effects upon domestic prices, resulting from the war in Europe.

"Out of the entire field of commodities which have suffered in the current price decline," Colonel Hanson declared, "lard and cottonseed oil were disclosed to be by far the weakest features in the price structure. This," he said, "occurred despite the fact that there are no agricultural commodities more essential, either to a peacetime or to a wartime economy of any nation, than are its supplies of oils and fats."

He told of the many military strategists who are even now saying that if Germany loses the war it will be primarily because of her shortage of oils and fats, animal and vegetable, as well as mineral. In pointing out that our domestic producers were now face to face with a price of 5 cents per pound for lard and but 5½ cents for cottonseed oil, Colonel Hanson concluded by saying that "the joint resolution would provide that no less than \$10,000,000 of the total appropriation sought would be spent for the purchase of oils and fats."

He further said that it was the sense of the meeting that by the terms of the resolution the Surplus Commodities Corporation should be authorized and instructed, not alone to purchase hog lard and cotton oil but also mandated, either to profitably export the overburden of our domestic surplus out of the country in export trade, or else make provision to insure that the surplus here present be subsidized into the soap kettles, at a price which would enable these domestically produced commodities to compete more readily with foreign oils being imported.

Agreement has been reached that Senator BILBO (Democrat), Mississippi, would sponsor the joint resolution in the Senate. It was further stated that it would be offered in the House tomorrow by Congressman VINCENT F. HARRINGTON, of Sioux City, Iowa, Representative from a district which is virtually the center of the American lard-producing industry.

Mr. HARRINGTON, when interviewed at his office late this evening, declared:

"I have spent the entire day in my office drafting the joint resolution. In this effort I am acting in concert with Colonel Hanson, secretary to the Southern Commissioners of Agriculture, in order to protect the Iowa corn and hog producers from one of the most serious and sudden price declines which has ever occurred in the history of American agriculture."

Joint resolution to authorize the appropriation of \$100,000,000 additional funds for use by the Federal Surplus Commodities Corporation for stabilizing agricultural prices now suffering severe declines due to the emergency arising out of the European war and its repercussion upon our domestic prices for agricultural products

Whereas the declared policy of this administration has been to protect American agriculture in all of its branches; and

Whereas it has repeatedly been the declared policy of this Congress to do everything within its power both to achieve and to sustain a parity of price, as well as a parity of income, for all American farmers; and

Whereas the European war now being waged has caused a most severe decline to occur, both in the price of practically all major agricultural crops (and hence the income of our farmers), as well as to create a further disparity between the price of things which farmers buy as compared with the price of those which they sell; and

Whereas the price of wheat has declined almost 30 cents per bushel in the last week; and

Whereas hog lard, an agricultural product most essential to our national economy, is now selling at the distressing price of 5 cents per pound, which is far less than the cost of production; and

Whereas the price of cottonseed oil, which is always dependent upon the current prices of hog lard, is now also selling at less than the cost of production; and

Whereas a national agricultural emergency has now arisen out of the European war, and which is resulting in serious repercussions upon all American farmers and agricultural producers: Now, therefore, be it

Resolved, That the Senate and the House of Representatives of the United States of America in Congress assembled do hereby appropriate the sum of \$100,000,000 for use by the Surplus Commodities Corporation in acquiring stocks of major agricultural products in such amounts as are deemed necessary to stabilize agricultural prices; and be it further

Resolved (by the Senate and House of Representatives of the United States of America in Congress assembled), That the Surplus Commodities Corporation is hereby authorized and directed to immediately proceed to acquire by purchase hog lard and cottonseed oil in the sum of \$10,000,000; and be it further

Resolved, That as soon thereafter as it is practicable the Federal Surplus Commodities Corporation shall arrange for the export of the lard and cottonseed oil acquired under this joint resolution. In the event of their inability to profitably export these products, then it is hereby directed to subsidize their sale into the soap kettles of the United States in amounts sufficient to relieve the overburden of present hog-lard and cottonseed-oil stocks upon domestic prices.

EXTENSION OF REMARKS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement on the life, character, and public service of Hon. M. M. Logan, late a Senator from Kentucky.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include a petition from certain farmers in my district in support of the Jones-Wheeler farm credit bill.

The SPEAKER. Is there objection?

There was no objection.

By unanimous consent Mr. BYRON and Mr. O'CONNOR were granted permission to revise and extend their own remarks.

JUVENILE COURT OF THE DISTRICT OF COLUMBIA (H. DOC. NO. 780)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and, together with the accompanying papers, referred to the Committee on the District of Columbia and ordered printed:

To the Congress of the United States:

I transmit herewith for the information of the Congress a communication from the judge of the juvenile court of the District of Columbia, together with a report covering the work of the juvenile court during the fiscal year 1938-39.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, May 20, 1940.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from yesterday's Washington Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Wednesday next, the gentleman from New York [Mr. REED] may be permitted to speak for 15 minutes, after the legislative program of the day.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein two telegrams regarding an amendment to the Sugar Act and a copy of a resolution from the Parent-Teachers Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. BEAM. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is not a quorum present. Obviously there is not a quorum present.

Mr. COOPER. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 118]

| | | | |
|----------------|-----------------|---------------|----------------|
| Allen, Pa. | Drewry | Kean | Ryan |
| Bail | Durham | Keefe | Sabath |
| Barden, N. C. | Eaton | Kennedy, Md. | Schaefer, Ill. |
| Barton, N. Y. | Evans | Kilday | Schiffler |
| Bates, Mass. | Faddis | Kirwan | Schulte |
| Bradley, Pa. | Ferguson | Lea | Secrest |
| Brewster | Fitzpatrick | McAndrews | Seger |
| Buckley, Minn. | Flannery | McArdle | Sheridan |
| Buckley, N. Y. | Folger | McLean | Simpson |
| Burdick | Ford, Thomas F. | Mansfield | Smith, Conn. |
| Cannon, Fla. | Gehrman | Martin, Ill. | Smith, Ill. |
| Celler | Gifford | May | Somers, N. Y. |
| Chapman | Green | Merritt | South |
| Clark | Hare | Mitchell | Sullivan |
| Cluett | Harness | Myers | Summers, Tex. |
| Coffee, Wash. | Hart | Norton | Sweeney |
| Cole, Md. | Harter, Ohio | O'Brien | Taylor |
| Cooley | Hartley | O'Leary | Thomas, N. J. |
| Crosser | Healey | Osmer | Thorkelson |
| Culkin | Hess | Plumley | Treadway |
| Cummings | Jarman | Ramspeck | Wadsworth |
| Darrow | Jeffries | Reece, Tenn. | Weaver |
| Dempsey | Jenkins, Ohio | Risk | White, Idaho |
| Ditter | Jenks, N. H. | Robison, Ky. | White, Ohio |
| Dondero | Johns | Rogers, Okla. | Winter |
| Douglas | Johnson, Ind. | Routzohn | Wood |

The SPEAKER. On this roll call 326 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON IRRIGATION AND RECLAMATION

Mr. HILL. Mr. Speaker, I ask unanimous consent that on tomorrow the Committee on Irrigation and Reclamation may be permitted to sit during the sessions of the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ANNOUNCEMENT

Mr. COSTELLO. Mr. Speaker, I wish to announce that various members of the Committee on Military Affairs were unable to answer to their names on the quorum call due to the fact that the committee is in session.

CERTAIN CLAIMS AGAINST MEXICO

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 326) for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 326, the Mexican claims bill, with Mr. RANKIN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BLOOM. Mr. Chairman, will the gentleman from New York yield some of his time?

Mr. FISH. Mr. Chairman, I would suggest that we proceed in the regular order; that the gentleman from New York [Mr. Bloom] assign time to a Member on his side first.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, this is a Senate bill, sponsored by Senator MORRIS SHEPPARD, of Texas, who is its author. It has twice passed the Senate but has never been voted upon in the House, although it has been twice reported by the Committee on Foreign Affairs of the House, once under the chairmanship of Hon. Sam D. McReynolds and again under the present chairmanship of the gentleman from New York [Mr. Bloom].

Mr. Chairman, the pending bill authorizes the payment of awards made to American citizens by the General Claims Commission under a treaty dated September 8, 1923, between the United States and Mexico. Unless one has read the

treaty and understands the causes leading to the consummation of the treaty and its terms, one cannot intelligently vote upon the bill. There has been a great deal of misunderstanding and misinformation about the bill.

Prior to September 8, 1923, due to strained relations between the United States and Mexico, there had been a severance of diplomatic relations between the two countries. There had been a great deal of marauding going on by citizens of the two countries. As a result conditions grew so tense, as I stated before, that diplomatic relations had been severed. The State Department, after much negotiation with the Mexican Government, not alone for the benefit of those who had claims against Mexico, but for the improvement of relations between the two countries and to restore commerce and confidence between them, adopted a treaty to promote peace between the United States and Mexico, by which diplomatic relations between the two countries was resumed. Under that treaty what is known as the General Claims Commission was set up, composed of representatives of the two countries, to pass upon and consider all claims both of Mexican citizens against our Government and our own citizens against the Mexican Government. It was not known at that time, of course, which group of claims would be the greater—that is, claimants of Mexican nationals against our Government, or our nationals against the Mexican Government—but article IX of the treaty is as follows:

The total amount awarded in all the cases decided in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country and the balance shall be paid at Washington or at the City of Mexico, in gold coin or its equivalent to the Government of the country in favor of whose citizens the greater amount may have been awarded.

It was further contemplated and provided that each Government would pay to its own citizens the claims awarded against the other Government and then would collect the difference and there would be an adjustment between the Governments. That is the basis of the matter and that was the understanding at the time the treaty was entered into on September 8, 1923, and this bill merely provides that American claimants in whose favor awards have been made by the Commission shall be paid.

It was thought that 3 years would be sufficient time within which to complete the work of the Commission but the 3 years passed with the work incomplete, due to the large number of claims filed by the citizens of both countries, and the life of the Commission was extended another 3 years. The Commission had so much work to do in passing on the large number of claims that its life was extended time after time until it finally expired October 31, 1937. Two thousand eight hundred and seventy-one American claims were filed, and 2,021 claims were passed upon or adjudicated, and of this number 124 were allowed and approved, and 1,897 were disallowed, leaving still remaining unpassed upon 850 claims.

The aggregate amount of claims awarded by the Commission in favor of the citizens of our country was \$2,789,509.33, and the aggregate amount of total awards in favor of citizens of Mexico against our Government was \$431,431.82.

There were about 850 American claims that were not adjudicated or passed upon. This bill provides for the payment only of those claims which were allowed and approved. There is nothing due upon the claims which were disallowed. Most of the American claimants are individuals. Twenty-eight of the claims range from \$50 to \$1,000; 74 are for amounts between \$1,000 and \$10,000, and 22 of the claims are in excess of \$10,000. Eight hundred and fifty claims were never disposed of, but the Commission expired by operation of law. I do not know whether the Commission was negligent or not diligent in disposing of all the claims, but they considered a huge volume of claims, approximately 3,000 American claims and a large number of Mexican claims.

The question is whether or not this Commission having expired, having adjudicated these claims, having approved them, this bill introduced by Senator SHEPPARD, of Texas, shall be passed. It provides that our Government shall pay the

awards that were made to our citizens, but that interest shall not be paid subsequent to the date of the awards.

There is one large claimant involved here, the Illinois Central Railroad. A great deal of prejudice has been created against the bill by reason of that fact. The Illinois Central Railroad claim is based upon the sale of locomotive engines by that railroad to the Government of Mexico. The Illinois Central Railroad was trying to effect a settlement of that claim when this Commission was created. In 1926, after the Commission was created, the Mexican Government sent to the city of Chicago, Ill., a representative of the government to try and negotiate a settlement with the Illinois Central Railroad for these locomotives which had been bought by the Mexican Government from that railroad and which were in use by that government. The representatives of the railroad told the Mexican Government that, having filed its claim with the Commission, they would have to go to Washington before they could talk settlement with the Government of Mexico, because the matter was in the hands of the Government of the United States under this treaty. They went to the State Department in Washington. As a matter of fact, the terms of settlement were actually agreed upon. The Mexican Government was to pay the railroad \$100,000 in cash and \$100,000 a month until the full claim was settled. But when they came to the State Department in Washington to see whether or not the settlement could be negotiated, they were informed by representatives of the State Department that this treaty having been entered into, citizens and claimants could not settle their own claims; that all settlements would have to be made by the Government; that they could not be made by individual claimants.

Mr. BEAM. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I cannot yield. There are a lot of facts I want to tell the gentleman.

Mr. BEAM. I want to give the gentleman some enlightenment if he will yield?

Mr. LUTHER A. JOHNSON. I regret my limited time does not permit me to yield, but I think I know all of the facts about this bill.

Mr. Chairman, there were other claimants in the same situation. There was a Texas claimant who had a very large amount involved in the form of goods he had sold down there. This was not merely a tort. This was on contract. Some of the claims were for property taken, some for cattle confiscated, some for assaults made and various other character of claims, based both on tort and contract. The Government of the United States, having required its citizens to go before the Commission and file their claims and adjudicate them, the Government of the United States cannot now and ought not in equity deny to these citizens the payment of the money which they have been deprived of throughout all these years.

It is said that the State Department's attitude is hostile to this bill, but the report of the Secretary of State is here. When Senator SHEPPARD introduced his first bill (S. 3104) which was prior to the expiration of the Commission, the State Department made an adverse report, because at that time the General Claims Commission was still in existence and still considering claims.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. LUTHER A. JOHNSON. After this pending bill was introduced, in view of the fact that these claimants had been denied their money during all these years, and in view of the further fact the commission had expired and there was no longer any tribunal which could take the matter up, Secretary Hull said, in view of the unsettled claims and in view of the fact these claimants had waited so long, as to whether or not they should now be paid was a matter of legislative policy for the Congress to decide.

That is the position we are in at this time. They talk about the Government assuming an indebtedness. They talk about the American Government paying debts due our citizens by another government. If this matter had simply

involved the claims of our citizens against the Mexican Government alone, there might be some question; but remember, there are cross-claims, there are cross-currents here, and, as was said by Under Secretary Cotton when he appeared before the committee, and as was stated by Mr. Hackworth, counselor of the State Department, the Government having taken over these claims, became the creditor, and it is the duty of the Government to make a settlement. No man can read this contract and understand it, lawyer or layman, but who will agree that it was contemplated, as the State Department agreed in the hearings, that each Government pay its respective citizens the amount of the claims awarded in favor of their citizens, then negotiate a settlement between the two Governments.

The question is asked, Why pay this now? Why not wait until Mexico pays? They state that some of these claims have not been disposed of as yet, and that there are some claimants who have equities here. Yes; there are 850 claimants who filed their claims within the proper time, and those claims have never been considered and have not been disposed of.

I may state something right here that the record does not show. I understand from Oscar Underwood, Jr., who was the American representative upon that commission, that all of the claims could have been disposed of but for the fact that the representative on the commission from the Mexican Government finally quit and they could not conclude because he would not cooperate, and that is the reason that finally the claims were not all passed on. Is it right that these claimants who have had their claims awarded, approved, and adjudicated for many years should not be paid because Mexico did not see fit to conclude adjudication of all the claims? Are those citizens to be denied their rights? Is it not proper that our Government take this matter up and pay these claimants, then make its demand on Mexico? With reference to these other claims, either one of two courses can be followed. Either the two Governments can reestablish this commission to pass upon these other undisposed of claims or, if not, there can be made what is called a lump-sum settlement, such as was made under the Special Claims Commission that was created, whereby claimants were settled with on a certain percentage basis. Mexico is paying those special claims. It agreed to pay \$500,000 a year for 10 years until the total amount agreed upon is paid and those payments are now being paid out. But the Special Claims Commission had nothing to do with the claims involved in this bill, all of which were considered under this particular treaty, and adjudicated and passed on under this treaty, and the only way they can be settled is to pay the awards, as provided in this bill.

Mr. HALLECK. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Indiana.

Mr. HALLECK. I understand there were some awards made on behalf of Mexican citizens for claims against our Government.

Mr. LUTHER A. JOHNSON. Yes.

Mr. HALLECK. Has our Government ever paid those claims?

Mr. LUTHER A. JOHNSON. It has not paid one dime of them.

Mr. HALLECK. Can the gentleman tell the membership of the House why our Government has not paid those claims?

Mr. LUTHER A. JOHNSON. Because, under the treaty, the Mexican Government is to pay the awards made in favor of its citizens and our Government is to pay the awards in favor of our citizens, and then Mexico is to pay the difference between the two amounts. This treaty was based upon that agreement, to which these claimants were not a party. They were bound by it, they had to go into it, and they had to accept under it. I would say it would be a repudiation of a just contract and a just agreement made by this Government if these claimants are not paid the amount that has been awarded in their favor. Then let our Government pro-

ceed, as article IX of the treaty provides, to collect the difference between the amounts due between our Government and Mexico. [Applause.]

Under leave granted to extend my remarks, I submit herewith statements made by others familiar with the terms of this bill, and the grounds on which it is based.

Senator MORRIS SHEPPARD in the House Foreign Affairs Committee used the following words:

The history of the matter shows that our Government negotiated with Mexico the convention of September 8, 1923, for the purpose of clearing the way for the resumption of diplomatic relations between the two Governments. It was considered necessary for the Government to assume the obligations that are contained in that convention in order thus to serve our whole people by eliminating a constant threat of war, relieve our taxpayers of the burden of maintaining a heavy military guard at our border, increase the revenues of our Government through additional custom receipts, and reestablish full commercial dealings between our people and those of Mexico.

In order to obtain the foregoing results the Government undertook, through the methods provided in that convention, to settle all of the claims of our citizens against Mexico so that our citizens might have "just and adequate compensation" for the damages and losses they had sustained in Mexico.

CONVENTION CONTEMPLATED PAYMENT BY EACH GOVERNMENT OF AWARDS TO ITS CITIZENS

That provision of the convention has been interpreted from the beginning to mean that each Government was expected to make settlement with its own citizens on awards that might be made in their favor. The Under Secretary of State, Mr. J. P. Cotton, in a letter to Senator MORRIS SHEPPARD, dated November 7, 1929, quotes that language and says:

It will be noted from the foregoing that it is contemplated that each Government shall settle with its own citizens in respect of awards made by the Commission.

And the Senate Foreign Relations Committee report on bill S. 3104 says:

As it was not known at the time the convention was entered into which Government would be adjudged to be entitled to the larger amount, and as each Government is required by the foregoing provision to appropriate any award made in favor of its citizens to offset awards made in favor of the citizens of the other Government, it must have been contemplated that each Government would settle with its own citizens in respect of awards made in their favor. Such interpretation has been approved before the committee by representatives of the State Department.

PAYMENT OF AWARDS TO AMERICAN CITIZENS PRIMARY OBLIGATION OF THE UNITED STATES

From the foregoing it is evident that the payment of such awards by our Government would not amount to assuming a new debt, or the underwriting of the debts owing by Mexico, or the establishment of any precedent for the assumption by our Government of debts owing to our citizens by foreign countries, but would be merely and only the discharge by our Government of its own primary obligations assumed by it when it entered into the General Claims Convention.

Senator W. R. AUSTIN, of Vermont, addressing the Senate on May 18, 1938, in support of bill S. 3104, approved the foregoing conclusion in the following words:

Mr. President, reserving the right to object, let me say that I objected to this bill when it was reached on the calendar at the last call. Since that time I have made certain study of the character of the bill. I had no objection to the merits of the bill at the time I previously raised the question, but I felt a responsibility with respect to it, because it seemed to be a new undertaking by the Government of the United States, to pay the debt of another government; that is, it appeared as though the bill itself would create a liability on the part of the United States without any consideration at all for it, and without any way for the Government to indemnify itself for such an assumption of debt. For that reason I objected to the consideration of the bill. I am persuaded, by the study I have made since then, that the bill does not create any debt. It does not make a new promise, but is a bill to carry out an old obligation entered into by a convention between Mexico and the United States, by means of which the contracting parties undertook to pay debts due from their vis-à-vis to their own nationals, and afterward offset claims on the part of each country against the other.

FURTHER DELAY OF PAYMENT UNJUST TO AMERICAN CLAIMANTS

Judge Sam D. McReynolds, of Tennessee, former chairman of the House Foreign Affairs Committee, referring to this

situation during the hearing on bill S. 3104 before that committee, which was the predecessor of the present bill, said:

Everything is barred and the citizens are cut off from their rights, no convention and no agreement and the Government stepped in and stopped them when they thought they would get something and the Government is morally responsible.

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. VORYS], a member of the Committee on Foreign Affairs.

Mr. VORYS of Ohio. Mr. Chairman, this bill simply provides that the United States is to pay about \$3,000,000 of the debts of Mexico to American citizens, whereas there are just claims aggregating hundreds of millions of dollars, which have already been filed with this very Commission, that are unpaid. Out of this vast amount we are to pick out \$3,000,000 worth and pay those claims. Our Government is to pay them 100 cents on the dollar, a large part of them with interest, and then see whether we can collect from Mexico.

This is an action that is without precedent in our history. Two precedents have been cited. One was when we paid \$320,000 to United States claimants against Mexico, but at the end of the Mexican War we got a lot of territory from Mexico. The other was an appropriation of \$50,000,000 to pay claims of Americans against Germany, but we had the proceeds of certain patents in our hands. This sort of thing is utterly without precedent.

What is the precedent that is to be established now? The precedent is that we are to pay claims of Americans against a foreign country. Is there anything that is unusual about these claims? We have a great many classes of claims against Mexico and other countries. For instance, we have a vast number of agrarian claims. Our committee has been unable to find the amount of them. There are oil claims, and we understand that one of these claimants by direct negotiation got \$1,000,000 recently. We have 850 special claims under a treaty entered into within a few days of the time of this treaty. These 850 claims, aggregating \$200,000,000, are left out of this, although they have been filed and have not been heard.

Mr. YOUNGDAHL. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from Minnesota.

Mr. YOUNGDAHL. Does the gentleman know any reason why these 850 unadjudicated claims should not be given the same consideration as the claims provided for in this bill?

Mr. VORYS of Ohio. I know of no reason. For instance, I know that the gentleman was before our committee interested in a Tabasco plantation claim. That was a very substantial claim which had its origin during the revolutionary period. However, that was thrown by the Mexican negotiators from the special or revolutionary class into the general class because they had agreed on a percentage settlement for the special claims, and it was to their advantage to have any large claims thrown in among the general claims instead of the special claims. This is why the constituents of the gentleman from Minnesota had their claim thrown into that group. The claim was properly filed before this Commission, but by lapse of time, if this legislation goes through, and if the argument of those for this legislation is accepted, the gentleman's constituents are out forever.

Mr. BLOOM, Mr. LUTHER A. JOHNSON, and Mr. HALLECK rose.

Mr. VORYS of Ohio. I refuse to yield.

Mr. YOUNGDAHL. What about these 850 claims that have been filed? Is it not possible to extend the treaty to include the adjudication of these claims?

Mr. VORYS of Ohio. Yes. This same treaty of 1923 has been extended four different times. Some of the claims were "out forever" in 1927. They extended the treaty until 1930, and then they said, "Those are all out forever." After four extensions the proponents of this legislation now come in and say, "We are sorry about those 850 claimants, they are left out of this thing, and their only rights are to have their

Government go ahead and do something and try to get up some sort of negotiations with Mexico."

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from New York.

Mr. BLOOM. Is it not a fact that everyone is out; that is, these claimants and every other claimant is out, because there is no treaty in existence at the present time? I should like to have the gentleman explain, if he will, if this legislation should not prevail, what other way there is by which any of these claimants may be paid?

Mr. VORYS of Ohio. I will explain that right now.

Mr. BLOOM. I should be very glad to have the gentleman do so.

Mr. VORYS of Ohio. The argument that is made here is just the argument that has been made all along. "What else can the Illinois Central Railway do? What else can these people do?" Has not our Government a moral obligation to attempt to collect? Certainly our Government has. These claimants can proceed the way all the other claimants will have to do; that is, await the proper kind of efficient and forceful diplomatic action by our Government. I concede that when our Government encourages foreign trade it has some sort of moral obligation to those who enter into that trade to use its best efforts to collect. I am perfectly willing to concede that our Government has been hopelessly weak in attempting to collect from Mexico.

Let us just see what a few of the other claimants are. Here are the 850 general claims, and the oil claims and the agrarian claims against Mexico. I happen to know that there is \$300,000,000 in claims against Russia. We have a similar treaty with Panama arising from similar claims. We have Brazilian bonds. We have \$14,000,000 of claims against the Spanish Government. There is one from my district. The justice of the claim is unquestioned, but the claimant cannot get his money.

Are we going to say as to all of these hundreds of millions of dollars of claims against foreign governments that we will pay them all, or are we going to say, "No, you all wait, but out of the whole bunch we are going to pick this \$3,000,000 of claims, and we are going to pay them off"? If we are going to make a select group of these people, let us see why, and we come then to the language which it is claimed creates a moral obligation.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. BLOOM. I know the gentleman wants to be fair and get all the facts before the Committee. Is there any other way now that all of the claimants who transferred their claims to the United States Government can get this money other than through this legislation? Can they go to the Mexican Government direct to get the money when they have transferred their claims to the United States Government for a consideration, mind you, in the treaty? I would like to have the gentleman answer that, if he will.

Mr. VORYS of Ohio. I certainly will answer it. Is there any other way that these claimants can proceed? Have they given up anything that any claimant against a foreign government does not give up when he goes before a claims commission under one of these treaties?

Mr. BLOOM. Oh, yes.

Mr. VORYS of Ohio. We have exactly the same provision in the special claims treaty, the Mexican claims treaty of 1868, exactly the same provision of this famous paragraph in article 8 of the Panama Treaty of 1932, the same provision in two claims treaties with England. Now, are all those people in any special position? Have they given up anything that they would otherwise have had? The answer is "No."

Mr. FISH. Let me interrupt the gentleman, if I may. The gentleman from New York [Mr. BLOOM] is trying to make it out that they have assigned their claims. There has been no assignment of claims. The Government does not own any of these claims. They were merely trying to help them, and if the Mexican Government does not pay that is the fault of that government. We do not owe these claims.

Mr. BLOOM. The treaty provides that they should assign all claims.

Mr. VORYS of Ohio. Let us study the treaty for a moment. Article 9 provides that the total amount awarded in all cases in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country, and the balance paid at Washington or in Mexico City.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. VORYS of Ohio. Now, how does article 9 work out? Does that have the United States paying any claim before it receives the money? No. Since the hearings have been conducted and the awards made, the balance is in favor of the United States to the tune of about \$2,600,000, and to carry out article 9 would mean not that the United States would pay anything, but that Mexico would pay \$2,600,000 up here. So that there is nothing in article 9 that would require our Government to pay until it had received the money for payment.

Now, let us look at article 8; that is where they say that they had to give up something, and that therefore our Government has to pay.

The very first part of article 8 states that the high contracting parties agree to consider the decision of the Commission as final, and I quote:

And to give full effect to such decisions, and that a full, perfect, and final settlement of each such claim shall be made.

All of the provisions of the treaty must be carried out, including the payment under article 9, or none of them. If there were any release provided in article 8, the only quid pro quo—the only consideration—was the payment that the Government which owed the most was to make under article 9. So that no payment having been made, no consideration passed, and no claimant is bound by this treaty.

Remember this: Any claimant against a foreign country has to go just as far as he can himself and then wait for his government to go ahead, and that is the position these people are in.

Now, here is the proposal that is made here. In China they have a proverb that if you save the life of a man, you have got to keep that man the rest of his life. Here is a proposal that just because our Government went in to help these people get these claims liquidated, and spent \$3,425,000 in having these hearings, through 18 appropriations by this Congress, now the arbitrator has to pay the amount of the arbitration and then see if he can collect it from someone.

If that precedent is to be established, then this Government is going to have to pay billions of dollars. If, on the other hand, no precedent is created, because this is to be a favored class, it cannot be because of any legal obligation, because if there were a legal obligation this treaty, having the force of law, would not need any legislation in order to authorize an appropriation. The proponents of this legislation were stumped when we put that to them in our committee. If this treaty has the force of law, it constitutes an authorization and nothing but an appropriation is needed. There is no legal obligation and there is no moral obligation, any more than exists under the Special Claims Treaty, which has exactly the same provision, but under which the claimants have gotten only 2.6 percent of their claims, or under the 1863 Mexican treaty, or under the Panama treaty, or under the British treaties—and in another body it was said that we have 20 or 25 such treaties.

Mr. KITCHENS. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. KITCHENS. Is there any charge here that the Government has not done all it could to collect these claims?

Mr. VORYS of Ohio. The Government by way of a commission has done all it could.

Mr. KITCHENS. And there is no claim here of negligence on the part of the Government as a reason why these claims have not been paid?

Mr. VORYS of Ohio. No; but there are many who feel that the Government should try harder to collect its claims against Mexico, and I am one of those.

Mr. KITCHENS. And these assignments are made to the Government in order to facilitate the matter, in order to enable the Government to help collect these claims?

Mr. VORYS of Ohio. Yes.

Mr. KITCHENS. Does the gentleman know of any reason why the Government should not reassign these claims to these claimants and allow them to proceed in any way they desire?

Mr. VORYS of Ohio. There would be only one objection, and that would be from the claimants who would say, "We do not want them." The Illinois Central Railroad Co., as shown by the testimony before our committee, had a chance to go ahead and make a settlement and collect \$100,000 every few months. All they had to do was to go on on their own. The Government said, "You can withdraw from this and try to collect it yourself, or you can stay in and help us to close them up." They stayed with this Commission and I do not blame them, but they cannot claim, when they were given the choice of going ahead themselves or having the Government behind them and they chose to have the Government behind them, that that created a moral obligation on the part of the Government to pay them out of the Government's own pocket.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. FISH. Mr. Chairman, I yield the gentleman 2 minutes more.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. Yes.

Mr. BLOOM. I want to read to the gentleman something from the record.

Mr. VORYS of Ohio. Does the gentleman want to ask a question?

Mr. BLOOM. Yes. To see what the State Department says. Mr. Hackworth, the legal adviser of the State Department was before our committee in the hearings upon the bill and he said:

We have taken over the claims, and are prosecuting them as a Government claim on behalf of our nationals. The Government is the creditor.

Now, that is the statement of Mr. Hackworth, who is the legal adviser of the State Department of the United States. Will the gentleman kindly answer that?

Mr. VORYS of Ohio. The Government took over these claims as an attorney in fact, representing the claimants. It was not going to have outsiders acting on the same claims that were before the Government, but if you want to know the position of the government officials, it is to be found in these words from the Budget Bureau:

This legislation would not be in accordance with the program of the President.

That is the end of the quotation. That is the official position of our Government, that it would not be in accordance with the program of the President, and while I am not one who is ordinarily defending the program of the President, yet when I find an instance when the President is not in favor of paying out money, I think it is a sound program to follow.

Mr. FISH. Does anyone in the Government service, Mr. Hackworth or any one else, endorse this bill?

Mr. VORYS of Ohio. No. The only record is that the State Department reported adversely, and now makes no comment at all, except to state the President's position.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NICHOLS. Mr. Chairman, as most of you know, there had been preparations made for those Members of the House and their families who cared to, by defraying their own expenses, go on a trip this week-end to New York and to the world's fair and to West Point and the Museum of Modern Art. That trip was to have started at Thursday noon. By reason of the legislative program in the House, by reason of the urge for national-defense legislation, by reason of the fact that on Thursday and Friday under the present program of the House there will be on the floor for consideration authorization bills from either the Committee on Military Affairs or the Committee on Naval Affairs, those of us who have had something to do with making arrangements for this trip have, after consultation and conference with the leadership of the House, decided to cancel the trip. I feel very badly about this. Very elaborate plans have been made and much time and money spent, but in view of the situation as it exists throughout the country today we feel that for the remainder of this year we should not try to make such a trip. So the trip is canceled and those who have paid for their reservations in the Sergeant at Arms' office will of course be refunded that money by calling at the Sergeant at Arms' office.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, perhaps I should say at the outset, so that my remarks are not discounted too greatly, that the Illinois Central Railroad, which is probably the major claimant under consideration here today, operates from one end to the other of the State of Illinois. As a matter of fact, the Illinois Central operates through my home town. I have no pass on which to ride on the Illinois Central Railroad. I do not own a single share of Illinois Central stock or bonds or the stock or bonds of any other railroad. I am under no obligation to them and they are under no obligation to me.

However, if there is to be any depreciation of the effect of what I may say today, I would rather deprecate it myself than have somebody come along afterward and do the job for me.

On that basis let me say that the difficulty I had with this claim was, first, to satisfy myself that there was an existing valid obligation owing from the Federal Government to our own nationals. Secondly, whether or not that money should be paid regardless of whether or not we collected any money from the Mexican Government. I have answered that question in the affirmative for myself, so I shall vote for the bill.

The reasons whereby I arrived at that conclusion are somewhat as follows:

In the first place, I agree with the gentleman from Texas [Mr. LUTHER A. JOHNSON] that you could get no adequate understanding or appreciation of this problem until you examined briefly into the background. Prior to 1923 we had difficulty on the border. In fact, we had an extensive military patrol operating on the Mexican border. Finally diplomatic relations were severed and in consequence there were no customs receipts derived from trade between this country and Mexico. Now, there was a situation affecting the welfare of the whole country and it became the impelling reason for the development of what is known as a convention, under which that Claims Commission took jurisdiction of general claims running back to 1868, in the hope that they would be adjudicated, and whatever the excess was in favor of one government or the other, it would be deducted from the whole amount and the rest of it settled in cash by the government that was on the long end of the findings. I contend that irrespective of whether we collect from Mexico or not we are still not only morally bound, but in my judgment legally bound, to pay our own nationals.

Let us look at it in this light: As the thing sets up today it seems that the American nationals are entitled to get \$2,800,000. In round numbers, the Mexicans are entitled to something like \$400,000. So that there is a difference in favor of our own citizens of approximately \$2,400,000. It was anticipated under section 9 of this convention that after making the deduction, the balance would be paid by the

Government in debt in the form of gold, either in Washington or in Mexico City. Let us assume that the shoe was on the other foot. Instead of the United States being the prospective recipient of \$2,800,000, that went to Mexico and only \$400,000 to our own country, what would have happened?

This Congress would have authorized such action as was necessary, first of all, to pay the difference of \$2,400,000 to Mexico, and, secondly, to pay the remaining \$400,000 to our own nationals. That, to me, is persuasive that they never at any time contemplated that we must first get the money from Mexico before we paid our own nationals. As a matter of fact, the Commission did not know whether American citizens or Mexican nationals would be on the long end of this bargain. The Commission had no way of knowing until it had adjudicated these claims as to whether the balance would be in favor of this country or of Mexico. As a consequence, it is my considered judgment that that was not a contingency upon which that deal was made, and therefore there is not only a moral obligation but there is a legal obligation as well for the payment of this money at once without regard to what action the Mexican Government takes.

Mr. BEAM. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Let me finish and then I will get a little time to yield, if you please.

Secondly, our claimants surrendered every right. Let us take the Illinois Central case, for instance. A representative of the Mexican Government went to Chicago. They sat down with the officials of the Illinois Central and they worked out an arrangement whereby they were to pay to the Illinois Central Railroad the sum of \$100,000 in cash as a down payment and then to pay \$100,000 a year until the claim was liquidated.

Mr. BLOOM. And remember that was in 1925.

Mr. DIRKSEN. That is right. Now, the Illinois Central Railroad, not wishing to incur any displeasure or have any difficulty with the State Department, finally decided that they should send a representative, together with the bargaining agent of the Mexican Government, to Washington.

When they came down to Washington what happened? The State Department said to them that their claim had been surrendered to the Commission; that they had yielded every right to proceed individually or otherwise in order to collect this money, and that they would have to stand by any action that was taken by the Commission under this convention of the two countries. The Illinois Central would have been paid today—in fact, it would have been paid in full more than 10 years ago if it had been permitted to proceed as an independent bargaining agent.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Going back to 1925, or whenever this claim was adjudicated, let us take the \$1,800,000, or whatever the claim is; \$100,000 down and \$100,000 per month for 17 months would have liquidated the claim.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. VORYS of Ohio. The gentleman has said that the railroad was forced to abandon its rights to proceed independently. It was given the alternative to go ahead without the aid of the Government or to continue under this plan. That is precisely the position of these 850 other claimants for \$250,000,000.

Mr. BLOOM. Not after the treaty was signed.

Mr. DIRKSEN. Exactly; so we see the rather tenuous position that any collection of the money meant exactly nothing.

You cannot deny the fact that the Illinois Central claim would have been liquidated in its entirety today if the State Department had not insisted that they surrender every right to proceed. That is further borne out by the facts if you look at the total claim.

Mr. SHANLEY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. SHANLEY. The gentleman says they would have gotten that money. Does not the gentleman think that there is no question but that they made their mind up that

they could not get it from the Mexican Government and allowed themselves to go into the general-claims basket?

Mr. DIRKSEN. I would say to my friend from Connecticut that I do not believe that was the reason at all. The fact of the matter is that under the terms of the convention if they had proceeded and the Federal Government of the United States had decided that they should not go ahead and collect their money by private means, it might probably be at the expense of other claims; therefore, they would have to go into the general jackpot. As a result they did not dare to offend their own Government, for one scratch of the pen on a single paragraph by the State Department could have jeopardized the entire claim. I am sure that no other claimant as a practical matter would or could have pursued a different course.

Mr. PARSONS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. PARSONS. Is it not a fact that the State Department notified the Illinois Central that unless they did bring this claim through the Commission that this Government would never be liable if Mexico defaulted in the affair.

Mr. DIRKSEN. Exactly. So they had no choice in the matter when it comes down to actual diplomatic practice.

Mr. BEAM and Mr. COX rose.

Mr. DIRKSEN. I yield to my colleague the gentleman from Illinois [Mr. BEAM].

Mr. BEAM. To offset what the gentleman said in his earlier remarks, I simply want to refer him to the usually creditable statements made by the gentleman from Missouri, our colleague Mr. SHORT, who the other day said there are awards against the Mexican Government now on account of the seizure of farm lands aggregating \$200,000,000, lands which the Mexican Government seized, the value of which is due and owing to the United States. He also stated that there are general claims of American citizens not involving oil which long ago had been reduced to the form of a debt from the Mexican Government in the sum of \$80,000,000, which still stands unpaid; also several hundreds of millions of dollars due for confiscated railroads in Mexico.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 5 additional minutes to the gentleman from Illinois.

Mr. DIRKSEN. Let me answer that observation, as it is somewhat similar to the observation made by the gentleman from Ohio [Mr. VORYS]. The reason the 850 claims on the part of our nationals and the 250 claims on the part of Mexican nationals have not been adjudicated is because the life of the Commission expired by law; and if there had been 10,000 claims the Commission still could not have adjudicated a single one more than they did. The other point is that these 850 claims are not foreclosed. It is a question now of a new convention so that a new commission will have jurisdiction to entertain those claims. And that, I would say to my good friends from Illinois, goes also for oil and agrarian claims. But they will not reach such enormous and astronomical amounts. The many adjudications that have been made by the Commission obligates us, so far as we are concerned, for an aggregate of \$2,400,000. So when you take 850 claims there may be only a few million dollars more involved instead of \$200,000,000, \$400,000,000, \$500,000,000, or these loose sums that are so easily bandied about but which in fact are meaningless and of very dubious accuracy.

Now, finally, let me ask this, and then I want to yield to my friend from Georgia. Something was said about the petroleum claims and about the expropriation of property in Mexico. The situation is altogether different. In the first place, the genesis of these claims is found in a condition which was of major importance to the whole country when we had a military patrol, and a costly one, on the Mexican border. Secondly, there were no receipts from trade with that country. Thirdly, there was a severance of diplomatic relations. These were matters of real concern and they were resolved by the convention under which the Claims Commission was

created. The petroleum question is nothing more than the simple expropriation of private property. In view of the last message from the State Department of the Government of Mexico the thing is still in negotiation. So it cannot be said that Mexico has closed the door to further negotiations in regard to those claims.

I now yield to the gentleman from Georgia [Mr. COX].

Mr. COX. The gentleman understands that I have no interest whatever in the subject matter of the bill.

Mr. DIRKSEN. I would say that is entirely true.

Mr. COX. It is satisfactory to me whatever the Committee does about the bill. But if members of the Committee are willing to have their vote represent their well-considered judgment and appraisal it is rather important that they examine the bill for themselves on the testimony taken by the committee reporting it or else that they trust in the sound judgment of the committee being sufficient to support them in their support of the bill, because a mere surface consideration will drive them away from it whereas a close careful consideration, in my judgment, will convince them that it is a sound proposal and that the bill ought to pass.

Mr. DIRKSEN. And I would say to the gentleman from Georgia, therefore, that it is my considered conclusion that there is an obligation owing from the United States Government to our own nationals with respect to these claims. They should be paid immediately irrespective of whether we first or last recapture this money or collect it from the Mexican Government.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. LUTHER A. JOHNSON. With reference to the question of the Mexican Government not paying its claims, I would like to say that they are not claims which have been adjudicated and settled under a treaty. My understanding is that Mexico has never yet after she entered into a treaty refused or failed to carry it out.

In other words, they have never repudiated the payments when they agreed to pay them and when the bill is presented we have a right to presume, based on past history, that it will pay the claims.

Mr. DIRKSEN. Mr. Chairman, on November 7, 1929, the Undersecretary of State, Mr. J. P. Cotton, in addressing a letter to Senator SHEPPARD, had this to say:

It will be noted from the foregoing that it is contemplated that each government shall settle with its own citizens in respect of awards made by the Commission.

That was said by an Undersecretary of State in November of 1929 and indicates that there was not in the minds of anybody the question of first getting this money before these obligations should be paid.

[Here the gavel fell.]

Mr. ANDERSON of Missouri. Mr. Chairman, I suggest the absence of a quorum.

The CHAIRMAN (Mr. RANKIN). The Chair will count. [After counting.] One hundred Members are present, a quorum.

Mr. FISH. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. MARTIN], and I ask unanimous consent that he may be permitted to speak out of order for the 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. FISH]?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Chairman, on Thursday last, the President delivered a special message to Congress requesting the appropriation or authorization of a large additional sum for national defense. In view of the ever-increasing use of force as a principal element in international relations, and, further, in view of the especially critical situation in which the world now finds itself, the defense objectives of the President meet with national approval.

Our Military Establishment should be so strengthened that it will be adequate to perform its function of maintaining our traditional defensive military policy.

Vital necessity demands, however, that the Congress and the country know the present condition and future prospects of the finances of the United States Government; for without such knowledge we shall be groping our way along an uncertain road.

It is a well-known fact that, without considering the appropriations recommended on Thursday by the President, the statutory debt limit of \$45,000,000,000 will be exceeded within a few months.

We are impelled to ask how the President proposes to pay for this new defense program? Shall we raise the debt limit? Shall we impose additional taxes? Shall we do both?

Neither alternative presents a pleasant prospect. Neither is free from elements of danger.

We have protested again and again against the extravagance of recent years. We have dreaded the very condition which confronts the Nation today.

But, faced as we are with a huge national debt, it is incumbent on the Congress, it seems to me, to recognize the situation.

Under these circumstances, I inquire of the majority leader how the administration intends to finance these new demands?

It strikes me that candor is greatly to be desired at this moment. We owe it to the people, so that they may understand and gird themselves against the strain that is to come.

The Republicans in the House of Representatives await with deep concern the action of the responsible Democratic majority. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. RAYBURN], and I ask unanimous consent that he may be permitted to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

Mr. RAYBURN. Mr. Chairman, the gentleman from Massachusetts [Mr. MARTIN] was kind enough to let me know that he was going to make a statement at this time. He has asked a question that is very easy to ask. I was expecting it to come from various sources on that side of the House, and I am glad that it came from such a distinguished source as the gentleman from Massachusetts [Mr. MARTIN], who asks, "Where are we going to get the money?" with apologies to the gentleman from Pennsylvania [Mr. RICH].

I believe that 99½ percent of the citizens of the United States of America, on account of world conditions, believing that the United States of America is not an aggressor in any part of the world, because we covet not a foot of ground over which any other flag flies, are genuinely aroused on account of things that are happening in various quarters of the world. To prepare to meet all conditions, I think they are willing to pay. [Applause.] If they are not, then I misinterpret not only the temper but the patriotism and the love of country of these people.

We must pay these bills. I may say to my distinguished friend that the executive departments of the Government and some parts of the legislative branch are giving serious consideration at this time to the recommendations to be made. When those recommendations are ready, they will be sent before the committees of Congress. When they are sifted, and when they are brought forth, and when they are considered fairly by the American people, I believe the American people will be perfectly willing to pay for this additional defense, whether it be by raising the debt limit or in some other way. Whether it be by way of raising additional taxes from certain things, I do not know, because it has not been determined which course will be pursued, or whether both may be followed. But we are willing to ask the American people to pay for their protection in a time like this. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, I take it from the majority leader that he realizes the deep concern

which the American people must have with reference to the financial condition of the Government. He is groping with the problem. I would like to ask one question. Does he not believe that the sooner we let them know just what the tax program will be or any other program, the better off the country will be?

Mr. RAYBURN. Yes; that is always the case.

Mr. MARTIN of Massachusetts. Does he not think we should do that during this session of Congress?

Mr. RAYBURN. I think those matters are being given consideration. The gentleman may be more enlightened in a few days than I could enlighten him at the present time.

Mr. MARTIN of Massachusetts. I thank the gentleman.

Mr. BLOOM. Mr. Chairman, I yield 7 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, let us go back to the bill. I have no interest in this bill at all except as a Member of this body, but as a Member of this body I feel I owe a duty to the taxpayers of this country to oppose taking money out of the Treasury of the United States and giving it to a preferred class of persons not authorized by law, when there is neither a moral nor a legal obligation to pay them.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to my good friend, the gentleman from Utah.

Mr. MURDOCK of Utah. Before the gentleman gets into his statement, may I ask this question. As I understand, these claims have already been assigned to the Government of the United States, and the assignor is now depending on the Government, and has been since the assignment, to make collection. Is that right?

Mr. O'CONNOR. If it is right, I believe I can answer the gentleman's question.

Mr. MURDOCK of Utah. If it is right, then the question arises in my mind, if the assignment has actually been made and the assignor or assignors are dependent upon this Government to make collection, are they not helpless to do anything for themselves?

Mr. O'CONNOR. I will answer the question in this way. I call the attention of the gentleman, before proceeding to answer his question, to the fact that \$1,807,531.36 of this claim goes to the Illinois Central Railroad. The rest goes in dribs and drabs to various other claimants. There is no one in this House who would for a moment claim that this bill would ever be before the House if it were not for the Illinois Central Railroad Co.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I am sorry but I decline to yield.

Mr. GWYNNE. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Iowa.

Mr. GWYNNE. Does not the gentleman believe the facts in the Illinois Central case make a valid legal obligation on the part of the Government?

Mr. O'CONNOR. I do not, and I will explain why.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I cannot yield at this time. I will yield later if the gentleman will give me some time.

As I said a moment ago, it is the Illinois Central Railroad that, in my opinion, is pushing this bill in the House. In my opinion, it was the one that pushed the bill through the United States Senate.

Mr. Chairman, we have been called upon within the last week by the President of the United States to appropriate in the neighborhood of \$900,000,000 additional for the defense of this country. Is there any denying the fact that this House is going to vote that sum? I do not believe there is a Member of this House that will vote against it, if he believes that the money is going to be used to defend this country. In addition, we have pending before this Congress a relief bill of approximately \$1,000,000,000, with the United States Treasury in the condition the distinguished gentleman from Massachusetts [Mr. MARTIN] has just pointed out.

Mr. Chairman, do you want under these conditions now to reach into the United States Treasury and extract over \$2,-500,000 from the taxpayers of this country who have property the assessor can find? They are the ones who pay the taxes. They are the people who have the homes, the farms, the livestock, and the businessman with the goods on his shelves where the assessor can lay his hands upon them.

Mr. ARNOLD. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I am sorry, I do not have time to yield.

They are the people who are going to pay this bill. I want to ask in the name of God how anybody can look in the face of a home owner or a farm owner or a property owner and justify a vote for such a measure as this?

Let me call your attention to this fact: Article IX of the convention is the article upon which the gentleman bases the claim that there is a legal obligation on the part of the United States Government to respond to the Illinois Central Railroad Co.'s claim. Article IX reads as follows:

The total amount awarded in all cases decided in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country, and the balance shall be paid at Washington or at the city of Mexico, in gold coin or its equivalent, to the Government of the country in favor of whose citizens the greater amount may have been awarded.

There is not a single word in this article that shows an express or implied promise on the part of the Government to pay Mexico's debt to the Illinois Central Railroad, or any other claimant. Neither does this language or the facts in the case create any equity in favor of the claimants as against the Government.

Mr. Chairman, juries are called on to determine and make awards as between individuals when they have controversies, but no one would ever go as far as to claim that because a jury made an award in damages it was required to pay the award. If so, no one would serve as a juror. Courts of equity have been called upon frequently to balance set-offs between claimants or litigants and usually the decree makes some such provision as this:

"John Jones has a claim against John Smith of \$1,000 and John Smith has a claim against John Jones of \$500. The difference between the two will be paid by the larger debtor to the other."

Courts of equity have the power to do this: To make such awards, but the courts do not pay.

The Commission appointed by the Government assumed no obligation on the part of the United States Government to pay when this Commission was appointed; neither did the Government assume such obligation. The Commission was appointed simply to make the awards, or, in other words, to adjudicate the respective rights of the claimants. Then, when the respective rights were adjudicated, and it was determined what the sums were, if there was a balance in favor of the United States citizen as against Mexico, under article IX that amount would be paid to the United States Government. And for what purpose? The United States Government would thereupon make allocations or payments to the respective claimants to whom the amounts are payable; but there is nothing in this article to even indicate, by the greatest stretch of the imagination, that the United States Government was to pay out anything to any claimant until it had received the money from Mexico, and if you will examine closely the letter of the Secretary of State you will see that is his construction.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman from Montana 3 additional minutes.

Mr. O'CONNOR. I am now going to further answer the question of the gentleman from Utah [Mr. MURDOCK]. Here is the situation. The Illinois Central had been for years trying to collect this claim from the Mexican Government without success.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I am sorry I have not the time to yield.

Mr. LUTHER A. JOHNSON. I will get the gentleman another minute.

Mr. O'CONNOR. I will yield later on when I have finished this statement, if I have the time.

As I said, Illinois Central had been trying to collect this claim and it could not do it. It had sold engines to the Mexican Government. It took its chance just the same as if you sold me a bill of goods and I did not pay for them. Would you want the United States Government to guarantee my debt to you? That is just what this bill does. If you pass this bill you are having the United States Government guarantee debts of foreign countries to our own American citizens. If you do that, what are you doing? You are going to establish a precedent that will throw open the doors for the introduction of bills into this House involving one-third of a billion dollars to compensate our citizens for holders of defaulted bonds of the South American republics. I have in my hand here a letter from an old gentleman at Livingston who had his life's savings as a machinist for the N. P. in a bank. He was advised to buy South American bonds and he did that. Now, what is the story? He writes to me, and I am not the first one. He wrote to Senator Walsh, the man whose memory you all revere, and Senator Walsh never had the temerity to go before the Congress and ask the taxpayers of the country to make good on that claim, and neither have I, but here are Bolivian bonds for which he paid \$107 a share that are today worth 3 cents a share.

Pass this bill, if you please, establish the precedent that this Government has got to guarantee the debts of other governments to our private citizens, and you are going to establish a precedent to throw open the doors of the United States Treasury in all such cases. Do you wish to do that? Do the taxpayers of the country want you to do that? That is the question.

Moreover, in this connection what about all of the debts owed by all of the European nations to the citizens of this country? I imagine they would run into such staggering sums as to wreck the finances of the country. We must think about what we are doing.

I will further answer the gentleman from Utah by saying, in the first place, the Illinois Central had the option of keeping their claim or turning it over to the Government. It did not have to. It could not collect so it took this course. The Government tried to help it. It could have pursued its own course, but it was trying without success and had not been able to collect and, consequently, it turned its claim over to the Government.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. O'CONNOR. But if it did assign this claim for adjudication and collection to the United States, the gentleman is a good lawyer and the gentleman knows, and I know that he knows, that all in the world they have got to do is to ask the Government to reassign the claim which the Government would do and they can proceed to take their own way and time in recovering or collecting. They know they never could and cannot now recover, and hence this bill. We do not know what, if any, profit it made on the sale of these engines to the Mexican Government. It is not in the same position as my friend in Livingston who put up cash for these bonds. They sold some engines, perhaps, that they could not use on their own railroads to the Mexican Government and now they want you, the taxpayers of this country, to pay for them. Do you want to do this? That is the question. We are facing a serious question in this bill. Are we going to open the doors of the Treasury of the United States to every kind of claim of this nature because a powerful lobby has been established here in Washington to bring about the payment of this claim? Answer that question.

In brief the Illinois Central Railroad could not collect its claim. It either assigned or turned over to the United States Government its claim for adjudication and collection with no obligation on the part of the Government to pay the same. The Government was simply trying to assist this railroad as well as the other claimants. Now the Mex-

ican Government obviously did not pay to the Government of the United States the balance due the citizens of the United States—hence the Government had nothing with which to pay anything to the claimants. There is nothing to prevent the reassignment of these claims on the part of the Government to the various owners thereof and they may pursue their own course in the collection of the same. That is the case in a nutshell. There is neither legal nor moral obligation on the part of the United States Government to pay and there is no equity in favor of the claimants as against the Government. [Applause.]

Mr. KELLY. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN (Mr. RANKIN). The Chair will count. [After counting.] Eighty-six Members are present; not a quorum. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 119]

| | | | |
|----------------|-----------------|----------------|-----------------|
| Allen, Pa. | Drewry | Kennedy, Md. | Rogers, Okla. |
| Ball | Durham | Kilday | Romjue |
| Barden, N. C. | Eaton | Kirwan | Routzohn |
| Barton, N. Y. | Edmiston | Kleberg | Ryan |
| Bates, Mass. | Evans | Knutson | Sabath |
| Beckworth | Faddis | Kramer | Sacks |
| Bender | Fitzpatrick | Kunkel | Schaefer, Ill. |
| Bolles | Flaherty | McAndrews | Secrest |
| Bradley, Pa. | Flannagan | McArdle | Seger |
| Brewster | Flannery | McDowell | Sheridan |
| Buckley, Minn. | Folger | McLean | Simpson |
| Buckley, N. Y. | Ford, Leland M. | Maas | Smith, Conn. |
| Burdick | Gifford | Magnuson | Smith, Ill. |
| Burgin | Gilchrist | Martin, Ill. | Smith, Wash. |
| Byron | Green | May | Smith, W. Va. |
| Carter | Gross | Merritt | Somers, N. Y. |
| Casey, Mass. | Hare | Mitchell | Starnes, Ala. |
| Celler | Hart | Mouton | Sullivan |
| Chapman | Harter, Ohio | Murdock, Ariz. | Summers, Tex. |
| Clark | Hartley | Myers | Sweeney |
| Clason | Healey | Norton | Taylor |
| Cluett | Hess | O'Brien | Thomas, N. J. |
| Coffee, Nebr. | Jarman | O'Leary | Thorkelson |
| Coffee, Wash. | Jeffries | Osmer | Treadway |
| Cole, Md. | Jenkins, Ohio | O'Toole | Voorhis, Calif. |
| Cooley | Jenks, N. H. | Plumley | Wadsworth |
| Culkin | Johns | Rabaut | White, Idaho |
| Cummings | Johnson, Ind. | Ramspeck | White, Ohio |
| Darrow | Kean | Randolph | Wood |
| Dempsey | Kee | Reece, Tenn. | |
| Dondero | Keefe | Risk | |
| Douglas | Keller | Robison, Ky. | |

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RANKIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill S. 326, and, finding itself without a quorum, he had caused the roll to be called, when 305 Members responded to their names, a quorum, and he handed in the list of absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. HENNINGS].

Mr. HENNINGS. Mr. Chairman, nothing would give me greater pleasure than to be able to support this resolution, if for no other reason than because of the high esteem and affection in which all Members of this House, and particularly those on the committee who have had the privilege and pleasure of associating with him, have for our friend the gentleman from Texas, Judge LUTHER A. JOHNSON. His wise counsel and unerring good judgment, his high integrity and devotion to duty, have for many years contributed to making him one of the most valuable Members of this House. [Applause.] I am constrained, however, in this instance to differ with my friend in that I feel that here we are making but a partial approach to the entire broad subject of Mexico and her obligations to American citizens. The history of the various claims commissions first established in the year 1839 has been a very sad and tedious one. As far back as 100 years ago a board consisting of four members was appointed by the President of each country. The King of Prussia at that time was called upon to act as umpire in the event of a difference between the commissioners. At that time 72 cases were disposed of under this convention, 11 awards totaling \$439,393 were made, and 57 cases were referred to the um-

pire. In all, 72 cases were disposed of; and the Mexican Government was unable to pay any award. As we pursue the tortuous course of the various conventions and commissions down through 1925—and a brief history of these conventions and claims commissions will be found at the end of my remarks so that the membership of the House may have an opportunity to read something about them—we find that it has been one of hopeless frustration, insofar as claims commissions and conventions are concerned; and, in all, since 1925 we have appropriated in the Congress the sum of \$3,405,000 for the expenses of the general and special United States and Mexican Claims Commission.

It seems to me that in a fair consideration of this measure the House would like to know not only whether in the first place, as has been ably pointed out, this is a just and proper way to take care of the obligations which have been created through the assignment of this cause of action, so to speak, to the State Department by our claimants, or whether, likewise, there is to be established a precedent which is not only dangerous as a matter of national policy, which may have serious repercussions in the future because of the large number of claimants who now have allowed and adjudicated claims, and the large number which are bound to follow because of the substantial amount of our investment in the Republic of Mexico.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. FISH. Mr. Chairman, I yield the gentleman 2 minutes more.

Mr. HENNINGS. Mr. Chairman, to attainment of a world order under law and justice, for which our Secretary of State has frequently called during this administration, the United States can contribute by precept and example in insisting upon a rigid adherence to the principles of international law, at least by the nations on this continent.

To find legal and peaceful solutions for the accumulated mass of difficulties that have beset relations between Mexico and the United States for more than 25 years is the purpose of a resolution which I recently introduced, after studying the many abortive attempts on the part of our Government to compose by negotiation our differences with Mexico.

To postpone a complete examination of Mexico's treatment of our nationals is to give tacit consent to further expropriations and invite an explosive situation fraught with serious consequences to the harmony and solidarity of the nations on this hemisphere.

In brief, Mexico embarked on a communistic and revolutionary course, at the instigation of foreign influences, around 1905-10. In its essence the program involved the seizure of foreign property and the expulsion of American citizens who were contributing to the development and recovery of Mexico after centuries of domination under the Spaniards.

With accentuating boldness and increasing disregard for the rights of our citizens under international law, Mexico finally incurred the displeasure of the United States in 1914-15, and lost for several years the recognition of our Government and suffered the invasion of its territory by our naval and military forces.

In 1923, after a series of conferences, and upon Mexico's acceptance of certain conditions looking toward the proper treatment of our citizens in the future, recognition was again accorded the Government of Mexico and treaties were entered into in the expectation that arbitration would prove to be a practical means of solving difficulties that arose between the two countries.

But within 3 years Mexico repudiated the promises and agreements upon which recognition had been granted; and in 1937 the General Claims Commission, which was created in 1923 to arbitrate claims, expired, having failed completely to accomplish its purposes.

The collapse of the claims convention and Mexico's continuing seizure of American-owned property in disregard of her own implied promises and of our friendly warnings and protests, is a severe test of the good-neighbor policy.

The United States has been long-suffering and kind to Mexico over many years. Oftentimes we have strained many legal and diplomatic points, and even sacrificed the rights of our citizens, to demonstrate beyond cavil that we were sympathetic to Mexico's aims and would go far to help her realize them. It is our sincere desire to prove our friendship and to preserve the peace of Mexico we have sometimes suffered severe criticism for intervening with material aid and comfort to support de facto governments in power, always in the hope that our good will might be reciprocated in behalf of our citizens in that country.

But despite our diplomatic patience and our reliance upon friendly arbitrations as a means of settling incidental disputes, Mexico persists in imposing on our good nature by acts of aggravation that are not to be tolerated if international law is to be upheld.

The time has now come to examine Mexico's conduct in the light of the law of nations and to seek the remedies it affords in order to discourage and prevent the spread of communistic doctrines from Mexico to other countries on this hemisphere.

I believe the membership may be interested in a brief summary of the historical background of Mexican claims since the beginning of our course of negotiation with the republic to the south of us.

THE CLAIMS CONVENTION OF 1839

A board of four members, two to be named by the President of each country; commissioners to decide within 18 months on justice of claims by United States citizens against Mexico, and amount of compensation; King of Prussia to act as umpire in the event of differences between commissioners.

Seventy-two cases disposed of under this convention; 11 awards totaling \$439,393 made, and 4 cases rejected; 57 cases referred to umpire who rejected 4 and awarded \$1,586,745 in 53 cases.

The period of 18 months was found too short, and many claims not disposed of; Mexican Government unable to pay any award.

Followed the claims convention of 1843.

This convention was signed in January of 1843, postponing the payment of the 1839 awards, and arranging for another convention to take up the balance of the outstanding claims.

The United States Government objected to allowing submission of claims by one government against the other since this would allow bringing up the subject of Mexican claims for American support of the Texas revolt; a claims convention concluded on November 20, 1843 was ratified by the United States with a reservation that struck out the provision regarding the submission of governmental claims; in view of this the Mexican Government refused to ratify the claims convention.

The Texas question next arose.

United States annexed Texas in 1845, and during that and the following year attempted to secure a release of Mexico's claim to Texas in return for the assumption by the United States of American claims against Mexico; cash payment for California also proposed; Mexico refused everything suggested.

The treaty of Guadalupe Hidalgo is of interest.

War broke out between Mexico and the United States and the treaty of peace signed in 1848 provided for the assumption by the United States of the liquidated claims under the convention of 1839, and for the satisfaction by the United States of all other claims against Mexico arising prior to the signature of the treaty of peace not exceeding \$3,250,000; the United States set up Board of Commissioners to pass upon unliquidated claims by the act of March 3, 1849, and the three Commissioners appointed by the President awarded \$3,208,314 in 198 cases and rejected 70 claims.

GADSDEN TREATY OF 1854 TO THE McLANE-OCAMPO TREATY OF 1859

The American Minister Gadsden concluded a treaty with Mexico calling for the cession of certain territory by Mexico and the payment by the United States of \$15,000,000 in consideration of the cession and the release of the United States from certain obligations of the Treaty of Guadalupe Hidalgo, and of \$5,000,000 in consideration of the assumption by the

United States of private claims; Senate struck out provision relating to private claims.

Claims continued to pile up and President Buchanan in his annual message in 1858 estimated the total to be over \$10,000,000.

The McLane-Ocampo Treaty was concluded with Mexico in 1859 under which the United States in return for certain economic and commercial concessions agreed to pay Mexico \$4,000,000, half of which was to be retained in satisfaction of American claims; Senate refused to ratify this treaty.

CLAIMS CONVENTION OF 1868

This convention signed on July 4, 1868, provided that all claims of the citizens of either country arising since the signing of the Treaty of Guadalupe Hidalgo were to be submitted to two commissioners, one to be appointed by each government, these two to name a third person as umpire to decide in cases of differences; United States filed 1,017 claims totaling \$470,126,613; Commission awarded United States \$4,125,622 in 186 cases and rejected 831 claims; Mexico filed 908 claims totaling \$86,661,891; Commission awarded Mexico \$150,498 in 167 cases and rejected rest.

The first installment on the awards fell due January 31, 1877, and was promptly paid by the Government of Diaz which had come into power shortly before. However, new claims had accumulated as a result of the unsuccessful revolutions of 1871 and 1872; as a condition to the recognition of the Diaz Government the United States urged another claims convention to settle these new claims; this delayed recognition of the Diaz Government, but eventually the government was recognized without the convention.

THE DIAZ REGIME

This represented 35 years of tranquillity; claims presented were disposed of through diplomatic channels or not at all; no further claims convention attempted until end of Diaz regime by Madero revolt of 1910.

SIGNATURE AND RATIFICATION OF THE UNITED STATES-MEXICAN CLAIMS CONVENTIONS

The General Claims Convention was signed at Washington September 8, 1923, ratified by the President of the United States February 4, 1924, and by Mexico February 16, 1924; the Special Claims Convention was signed at Mexico City September 10, 1923, ratified by the President of the United States February 4, 1924, and by Mexico February 16, 1924.

JURISDICTION OF UNITED STATES-MEXICAN GENERAL CLAIMS COMMISSION

This Commission had jurisdiction over all claims—except those arising from acts incident to the revolutions—by citizens of either country against the other, including claims by American or Mexican citizens who had interests in corporations of a different nationality which had suffered damage.

JURISDICTION OF UNITED STATES-MEXICAN SPECIAL CLAIMS COMMISSION

This was limited to claims for losses or damages caused during the period included between November 20, 1910, and May 31, 1920, by an act of one or any of the following:

- First. By force of a government de jure or de facto.
- Second. By revolutionary forces as a result of the triumph of whose cause governments de facto or de jure have been established, or by revolutionary forces opposed to them.
- Third. By forces arising from the disjunction of the forces mentioned in the next preceding paragraph up to the time when the government de jure established itself as a result of a particular revolution.

- Fourth. By Federal forces that were disbanded, and
- Fifth. By mutinies or mobs, or insurrectionary forces other than those referred to under subdivisions 2, 3, and 4, or by bandits, provided in any case it be established that the appropriate authorities omitted to take reasonable measures to suppress insurrectionists, mobs, or bandits, or treated them with lenity or were in fault in other particulars.

THE NATIONAL CLAIMS COMMISSION LEGISLATION OF 1917

The Carranza government enacted a decree setting up a national claims commission on November 24, 1917; United States objected to certain features, and the chief concern

of the United States at that time was with claims arising out of the Mexican legislation relating to mineral resources and agrarian reform under the constitution of 1917 rather than with claims for injuries by acts of officials and soldiers.

THE CIRCULAR TELEGRAMS OF 1921

The Carranza government was overthrown in 1920 after a revolt led by General Obregon; anxious to obtain recognition, the new government evinced a willingness to settle all claims; on July 12, 1921, the Mexican Government sent circular telegrams to the governments of all countries whose nationals might have claims against Mexico, inviting them to participate in the formation of mixed claims commissions to pass on claims incident to the revolutionary disturbances; thus for the first time, the Mexican Government had extended an invitation to conclude conventions submitting claims to international adjudication.

THE UNITED STATES-MEXICAN NEGOTIATIONS OF 1921: THE PANI-SUMMERLIN CONVERSATIONS

In May 1921 conversations were begun between Pani, the Mexican Secretary for Foreign Relations, and the American Chargé d'Affaires Summerlin in regard to the recognition of the Mexican Government by the United States; Summerlin desired the conclusion of a commercial treaty, containing clauses relative to the safeguarding of American interests in Mexico acquired prior to the adoption of the constitution of 1917 as a condition of recognition; Mexico refused to accede to this.

THE "BUCARELI" CONFERENCE OF 1923 AND THE DRAFTING OF THE CLAIMS CONVENTIONS

A United States-Mexican Commission to discuss outstanding questions between the two countries was then appointed and met in Mexico City between May 4 and August 15, 1923; the formal meetings were taken up with discussions of petroleum and agrarian matters, but during the recesses claims conventions were drawn up.

At the final meeting of the Commission it was announced that the texts of the general and special claims conventions which were incorporated in the minutes were approved by the respective governments; on August 31, 1923, the United States and Mexico announced the resumption of diplomatic relations.

THE MEXICAN REVOLUTIONS

A revolution aimed at the government of Diaz occurred in 1910; Madero, who assumed the presidency in 1911, was overthrown by Huerta in 1913; Huerta was faced by revolts led by Carranza, Villa, and Zapata; Carranza gained power in 1914 but was overthrown by Obregon in 1920; during this period the United States occupied Veracruz and sent an expeditionary force into Mexico in pursuit of Villa.

THE CONSULTIVE CLAIMS COMMISSION OF 1911

The Madero government, responding to foreign pressure, set up a consultative claims commission in June 1911; the commission considered various claims and handed down various awards; only one being paid, and that under great pressure by the German Government. The United States Congress, by joint resolution on August 9, 1912, authorized the Secretary of War to appoint a commission to investigate the claims of American citizens.

THE CARRANZA DECREE OF 1913—CARRANZA PROMISES

General Carranza, then chief of the constitutionalist army operating against Huerta, issued a decree on May 10, 1913, providing for the future creation of a Mexican national claims commission and also of a mixed commission.

When his government was established, Carranza made great efforts to secure recognition; he publicly declared on June 11, 1915, that his government would allow to foreigners residing in Mexico "indemnities for the damage which the revolution may have caused them, insofar as such indemnities may be just, and which are to be determined by a procedure to be established later."

De facto recognition was accorded to the Carranza government by the United States on October 19, 1915, following his declaration that he would "recognize and satisfy in-

demnities for damages caused by the revolution which shall be settled in due time in terms of justice."

THE AMERICAN-MEXICAN COMMISSION OF 1916-17

From September 1916 to January 1917 a joint American-Mexican commission discussed outstanding difficulties between the two countries, the American commissioners proposing the establishment of a mixed claims commission. Because of the failure to agree on the immediate withdrawal of American troops which had entered Mexico in search of Villa, the conferences broke up.

Appropriations by Congress for the expenses of the General and Special United States-Mexican Claims Commission and of the agency of the United States

Fiscal year:

| | |
|---------------------------------------|-----------|
| 1925 (43 Stat. 691)----- | \$171,930 |
| 1926 (43 Stat. 1340)----- | 275,000 |
| 1926 (44 Stat. 865) (deficiency)----- | 10,800 |
| 1927 (44 Stat. 340)----- | 350,000 |
| 1928 (44 Stat. 1190)----- | 350,000 |
| 1929 (45 Stat. 74)----- | 350,000 |
| 1930 (45 Stat. 1105)----- | 350,000 |
| 1931 (46 Stat. 184)----- | 350,000 |
| 1932 (46 Stat. 1319)----- | 367,000 |
| 1935----- | 170,000 |
| 1936----- | 319,120 |
| 1937----- | 214,270 |
| 1938----- | 126,200 |

Total----- 3,425,020

AMERICAN INVESTMENTS IN MEXICO

In 1912, Marion Letcher, United States consul at Chihuahua placed the total investment of Americans at \$1,057,770,000, and the British investment at \$321,301,800. As Mexico's total wealth at that time was \$2,434,241,422, American investors apparently owned half of it. This investment according to a subsequent estimate by the Bureau of Foreign and Domestic Commerce in 1924, was divided approximately as follows:

| | |
|---|---------------|
| Oil lands and refineries----- | \$478,000,000 |
| Mines and smelters----- | 300,000,000 |
| Agricultural and timber lands----- | 200,000,000 |
| Railroads----- | 160,000,000 |
| Manufacturing----- | 60,000,000 |
| Wholesale and retail stores----- | 50,000,000 |
| Governmental bonds (not including State and municipal bonds)----- | \$22,000,000 |
| Banks, telephones, and telegraphs, light and power companies, tramways----- | 10,000,000 |

In 1931 the Bureau of Foreign and Domestic Commerce estimated the total of American direct investments in Mexico at \$672,500,000. This estimate took into account the depreciation of the value of petroleum properties, the destruction of property in the revolutionary disturbances, and the expropriation of agrarian lands—American Direct Investments in Foreign Countries, Trade Information Bulletin No. 731. A subsequent estimate made in the same year placed the total at \$694,576,000—Trade Information Bulletin No. 767.

The estimate of investments as of December 31, 1933, was \$635,000,000—T. I. Bulletin No. 819, 1934—while the December 31, 1936, estimate was \$479,000,000. This latter figure was divided as follows:

| | |
|---|-------------|
| 33 manufacturing----- | \$8,000,000 |
| 41 distribution----- | 10,000,000 |
| 17 agriculture----- | 17,000,000 |
| 50 mining and smelting----- | 213,000,000 |
| 33 petroleum----- | 69,000,000 |
| 24 public utility and transportation----- | 147,000,000 |
| 17 miscellaneous----- | 13,000,000 |

In view of the foregoing, which constitutes but a partial resumé of this exceedingly important field, I submit that before the Congress appropriates for any particular claimant or group of claimants, a congressional inquiry, such as provided for in House Resolution 454, is manifestly a proper approach to an old and vexing problem.

We have some \$485,000,000 worth of American property in Mexico by late appraisal. It seems to me that whether this particular measure is meritorious or not, and there seems to be grave doubt as to its status as a precedent, in view of the larger problem, that we should face the entire issue of our

relations with Mexico and her "por la mañana" policy pursued throughout the long course of negotiations by our State Department. The failure of Mexico to realize her responsibility as a nation and as a people is of deep concern to the 21 other American republics and endangers the carrying out of the good-neighbor policy so indispensable to peace and harmony in the Western Hemisphere. [Applause.]

On April 3 last I introduced House Resolution 454, which I commend to the attention of the committee today. The resolution is as follows:

Whereas it is the fixed policy of the Government of the United States to seek a world order under law and justice and to enforce respect for the principles of international law as a guide to just and peaceful relations between nations; and

Whereas it is public knowledge that citizens of the United States have made charges of violation of international law against the Government of the United Mexican States, in that it has deprived them of valuable rights and property without just compensation; and

Whereas it is in the public interest and in the interest of international comity that charges against the Government of the United Mexican States of violation of international law be verified or disproved, and, if found to be true, that the Congress may take any and all means available under the Constitution to the end that commensurate justice be obtained: Therefore be it

Resolved, That there is hereby created a select committee to be composed of five Members of the House to be appointed by the Speaker, one of whom he shall designate as chairman, and not more than three of whom shall be members of the same political party. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to investigate the activities and policies of the Government of the United Mexican States insofar as such activities and policies relate to, and affect the rights of, citizens of the United States, with a view to determining whether, in fact, the Government of the United Mexican States has been or is now, through violation of the principles of international law, denying justice to citizens of the United States.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation, together with such recommendations as it deems desirable.

For the purpose of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpoenas shall be issued under the signature of the chairman of the committee or any member designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. IZAC], a most distinguished member of the Committee on Foreign Affairs.

Mr. IZAC. Mr. Chairman, after the convention of 1868 became inoperative very few of the claims of American citizens against the Mexican Government were settled. It remained for us in 1923 to set up this new convention. Now, in the long history of Mexican-American relations there have been only a small number of the great total of cattle, land, mine, and other claims that were settled direct by the Mexican Government without being brought before some tribunal.

It is easy enough for us to say, "Well, there has been no precedent established in the past." If it had not been that we had about a half billion dollars of German funds in this country, perhaps we would not have had a similar precedent or a precedent of any kind; but we have been paying out as the result of a convention set up between Germany and this country untold millions of dollars to our citizens in payment of their just claims against the German Government. With that as a yardstick, we entered into a similar convention, this time with Mexico.

We tried to adjudicate claims arising since 1868, covering everything imaginable. We have gotten pretty far along. It is true that toward the end of the negotiations the Mexican Commissioner got tired seeing the claims of his nationals in the minority over the American nationals, so he declined to continue. When that happened they had adjudicated about 80 claims, totaling nearly a half million dollars, in favor of Mexican citizens, whereas in favor of American citizens they

had adjudicated 124 claims, amounting to about \$3,000,000. So, of course, the advantage was in our favor.

It is perhaps pertinent at this point to tell you the amount due some of these claimants.

Twenty-eight of the claims range from \$50 to \$1,000. They take in those little claims like we have on the Tiajuana, the Rio Grande, and the Colorado Rivers. Some of our people went across the border and plowed up a little land and the Mexicans came along and stole their property and in some cases killed the American owner. Some of these are personal-damage claims. There are 74 claims that amount to between \$1,000 and \$10,000; 22 are in excess of \$10,000. Only 1, of course, is of great magnitude, and that happens to be the Illinois Central Railroad, for some 80 or 100 engines that they sold the Mexican National Railways. I presume their claim is just, as is the little \$50 claim, but I hold no brief for them. It just happens that was one of the cases adjudicated. Again I hold no brief for our Commissioner. I do not know who he was. I would not know him if I met him, nor the Mexican Commissioner, but those two had to agree on every one of these cases in order to get a settlement, and they agreed on the 124 I have mentioned.

Of course we are hopeful that it would not be necessary for us to resort to force, as seems to be the European way of enforcing one's demands on his neighbors. My colleague the gentleman from Missouri [Mr. HENNINGS] would like to have a reexamination of our situation on the border. So would I, because I have perhaps more nationals interested in that than any other Congressman. It is likely, moreover, that some of the Texas Congressmen are vitally interested, because their nationals have been in trouble at various times with the Mexican Government. But I want to assure you that there is no other peaceful way that we can go about getting the claims of an American citizen paid.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. IZAC. Other methods have been tried since 1868 and practically every national of ours who has tried to get his claim adjudicated or even presented to the Mexican Government has come away with empty hands. It is in defense of our own interests that we entered into this convention with the Mexican Government. I believe it was the correct way to proceed. It is true, we could have gone down and lopped off lower California, perhaps, or Sonora, or some little section of land and held it against the money that our nationals said they were entitled to as just claims, but that is not the American way. If we want to live up to the good-neighbor policy, we have to take this form of settlement.

We have entered into an agreement in good faith. I believe it is up to the American Government to implement the convention in this way. If the Mexican Government will order its Commissioner to continue, there is no reason why the balance of these claims should not be settled. As a matter of fact, there are some 850 yet to be adjudicated, and if they are not there is still no reason why those whose claims have been settled and to whom money is due should not be paid. I believe the only just thing for us to do in the situation is to pass this bill. If it works out all right, then let us go ahead with Mexico and take up the other 850 claims that are still awaiting adjudication. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. BLOOM. I would like to ask the gentleman from New York if he is going to reserve 15 minutes of his time? It was the intention to have the Committee rise at that time. If it is the intention of the gentleman to continue on, I would like to know about it.

Mr. FISH. We are going to consume all the time we are permitted to consume.

Mr. BLOOM. Is the gentleman going to continue until he uses his full hour?

Mr. FISH. Certainly.

Mr. BLOOM. That was not my understanding.

Mr. FISH. With whom did the gentleman have an understanding?

Mr. BLOOM. I thought someone had an understanding with the gentleman from New York.

Mr. FISH. Nobody has even mentioned it to me.

Mr. BLOOM. Very well.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. RICH] is recognized for 5 minutes.

Mr. RICH. Mr. Chairman, we have heard much about the good-neighbor policy. It seems to me if there were to be good neighborliness in this particular instance where we have tried to adjudicate the differences between Mexico and the people of America that Mexico should come across and pay Uncle Sam the amount of these claims so that we in turn could pay it over to the claimants. We have formed a great habit in the last few years of playing the good neighbor, and especially with those countries which owe us a great deal of money, but we have been unable to get them to recognize their claims. The claims involved in the present bill give us an instance. Have we the legal right, have we the moral right, to pay these claims and then tax the people back in our own districts to get the money with which to pay them? I wonder how that would appeal to the majority of the constituents back in our districts, particularly in the districts of those Members who advocate that the Federal Government pay these bills?

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield for a question.

Mr. TABER. Are we going to pay Great Britain's debt and Germany's debt, too?

Mr. RICH. As far as I am concerned I am not going to. I want no part in paying those debts. I want to protect my constituents. That is what they sent me down here for, and I am going to do it. You can take my word of honor on that.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. HALLECK. Does the gentleman understand that upward of \$400,000 has been awarded to Mexican citizens in payment of claims against this country and that our own Government has not paid those claims?

Mr. RICH. All I can say to that is that if we, as a government, owe that money to Mexico we should get busy and pay it.

Mr. HALLECK. The reason those claims have not been paid is because our Government expects to set off the claims of our citizens against the Government of Mexico.

Mr. RICH. Mexico is making money off the people of this country. She is getting more American tourists than ever went to that country before. Mexico should use part of the money she is getting to pay the claims of our people against the Mexican Government.

This bill does not meet the views of the President, and here is once where I agree with the President. I am for him when he is right and will stick by him when he is right, but I must oppose him when he is wrong.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield, but if I continue yielding I shall not have much time left for myself.

Mr. ALLEN of Illinois. The gentleman is the proprietor of a woolen mill and has made many contracts. If the Government were to come in and say to the gentleman that he could not seek a settlement of those accounts by direct negotiation but would have to accept a settlement of them through Washington, would he like it? Would he not feel that the Government by its action have become liable to him?

Mr. RICH. I have never come to the Government in my life for a single thing. I would rather carry my business on in the good old-fashioned American way where a man's word is considered good and his contract valid, and take my chances of collecting what was due me without going to the Government and asking them to do it. I thank God that we never have done that, and I hope to goodness we never shall. We believe in honest, upright, American business.

Mr. Chairman, I cannot yield further or I will find that my time has run out before I could say what I wanted to.

Before this Congress shall have adjourned, by the time you get through with the President's wants in preparation for war and before you get through with the relief bill that is pending, you will have appropriated over \$11,000,000,000. Do not forget that next year your income will be only \$5,500,000,000, according to the President's own estimate. You are going to be \$5,500,000,000 in the red for the fiscal year 1941.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 1 additional minute to the gentleman from Pennsylvania.

Mr. RICH. I hold in my hand the Treasury statement of the 15th of the month. Where formerly 2 pages sufficed to print this statement it now takes 10. You are going in the red so fast you do not know what is happening. Yet in spite of this you would have the Federal Government pay a debt owed by the Government of Mexico to certain American citizens.

You are treading on dangerous ground. Eventually one of three things will happen: You will have to cut down your expenses, you will have to increase your taxes, or you will go broke. What are you going to do? Your vote on this bill will be a partial answer. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. The gentleman from New York [Mr. FISH] has 15 minutes remaining. The gentleman from New York [Mr. BLOOM] has 16 minutes remaining.

Mr. FISH. Mr. Chairman, may I inquire of the gentleman from New York [Mr. BLOOM] whether it would be agreeable to save 15 minutes a side so we can explain the bill when we take it up again?

Mr. BLOOM. Mr. Chairman, I may say to the gentleman from New York that that is exactly what I proposed a few minutes ago. I am very glad he has come around to that way of thinking. I agree to that.

Mr. FISH. I accept it.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RANKIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill S. 326, the Mexican-claims bill, had come to no resolution thereon.

NAVAL DEPARTMENT APPROPRIATION BILL, 1941

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 47.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the action of the two Houses, respectively, with reference to the appointment of conferees on the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, be, and it is hereby, rescinded; and that the bill, with the accompanying papers, be returned to the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

Mr. WOODRUM of Virginia. Mr. Speaker, reserving the right to object, I understand the situation with reference to the naval bill is this: The regular naval appropriation bill has passed the Senate and is now on the Speaker's table. The defense estimates affecting the Navy are pending in both the Senate and House Appropriations Subcommittees. The House at the moment has unfinished business in the form of the relief bill which will take a day or two to finish. It seems advisable for the Senate to proceed with consideration of the naval defense items, after which time the bill may come back to the House with whatever amendments the Senate wishes to add.

In view of conversations which have been held between the minority and the majority the understanding is if this concurrent resolution is agreed to and the naval bill goes back to the Senate, after the Senate has acted upon the bill, as well as the War Department bill which also contains amendments with respect to the defense program, those two bills, when they come to the House with Senate amendments, will be held on the Speaker's table until the House Appropriations Committee may be given a reasonable opportunity to have such supplemental and additional hearings on the items as it may determine are appropriate?

Mr. RAYBURN. That is my understanding of the arrangement. I also understand that the Speaker has agreed that that shall be done.

Mr. WOODRUM of Virginia. In that way the rights of the House to have hearings on the appropriation items will be fully protected before the House is called upon to give consideration to them?

Mr. RAYBURN. Yes.

Mr. TABER. Mr. Speaker, reserving the right to object, that means the Members of the House will have the opportunity of knowing just what they are voting for so far as national defense is concerned when that matter comes up?

Mr. RAYBURN. Yes.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, can the leadership give us any assurance that there will be an opportunity for discussion of the conference report when it comes up for consideration? The conferees may agree and bring in practically all of the suggested items in a conference report and the report is then voted up or down.

Mr. RAYBURN. There is always an hour on that. The Appropriations Committee will hold hearings. Then the members of that committee will come to the House with some kind of a report proposing amendments to the Senate amendments or otherwise. Upon an occasion like that there will be opportunity for reasonable debate. As far as committing the House on the proposition of granting more than the regular time on a conference report, that is a matter I do not think I should be called upon to commit the House on at this time.

Mr. CASE of South Dakota. My thought is that the conferees may come to an agreement on a great many of the large items, then the members of the Subcommittee on Appropriations will be under pressure from other members and then we will only have an hour to consider the conference report and they may have added a half-billion dollars.

Mr. RAYBURN. Let me repeat, those matters will all be thoroughly discussed in the House after hearings before the Appropriations Committee.

Mr. TABER. Mr. Speaker, after the bill comes from the Senate, if there are items that the Appropriations Committee of the House feels should be materially changed from the way they were proposed by the Senate, amendments may be offered on the floor to the bill, when it is taken up and before it is sent to conference. In that event there will be an hour's debate under the rules on each amendment. Is that correct?

Mr. RAYBURN. It would depend on how the matter comes up. If it came up under a rule, of course, the rule would control, but if it came up under the general rules of the House, yes.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL DEFENSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House at this time for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KENNEDY]?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House, on last Thursday the President of the United States appeared in this Chamber and addressed the House

and Senate in joint meeting. At that time, the President pointed out many important considerations in connection with our national defense. I believe every Member of this House has taken to heart the words of the President.

As a consequence of the address of the President, I have prepared the following resolution which I am introducing at this time. I will read it to you because I think it is timely and important:

Joint resolution creating a National Defense Authority to investigate and report to the President on the national-defense requirements of the United States

Resolved, etc., That (a) there is hereby created a National Defense Authority, which shall consist of 25 members who shall be appointed by the President. In making appointments to the Authority, the President shall take into consideration and give equal weight to the following factors: (1) Industrial achievements, (2) scientific achievements, (3) legislative experience combined with prior service in the armed forces of the United States and knowledge of national-defense requirements, (4) political affiliation, (5) place of residence in the United States, (6) technical knowledge of national-defense requirements in relation to the functions of the United States Army, (7) technical knowledge of national-defense requirements in relation to the functions of the United States Army Air Corps, and (8) technical knowledge of national-defense requirements as related to functions of the United States Navy.

(b) It shall be the duty of the Authority to make an immediate investigation into the national-defense requirements of the United States, and into the methods by which such requirements may be met in the shortest possible time, and to report to the President the results of its investigation.

(c) The Authority shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, without regard to the civil-service laws or the Classification Act of 1923, as amended. The Authority is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government.

SEC. 2. For the purposes of this joint resolution the Authority shall be entitled to exercise the same powers and rights as are conferred upon the Securities and Exchange Commission by section 18 (c) of the act of August 26, 1935 (49 Stat. 831); and the provisions of sections 18 (d) and 18 (e) of such act shall be applicable to all persons summoned by subpoena or otherwise to attend and testify or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records and documents before the Authority.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

During his address the President said:

Let us examine without self-deception the dangers which confront us. Let us measure our strength and our defense without self-delusion.

The clear fact is that the American people must recast their thinking about national protection. * * *

Loose talking and thinking on the part of some may give the false impression that our own Army and Navy are not first-rate or that money has been wasted on them.

At this time I am asking for an immediate appropriation by the Congress of a large sum of money for four primary purposes. * * *

I ask for an immediate appropriation of \$896,000,000—and may I say I hope there will be speed in giving the appropriation. [Applause.]

In addition to the above sum, I ask for authorizations for the Army, Navy, and Marine Corps to make contract obligations in the further sum of \$186,000,000. * * *

Our task is plain. The road we must take is clearly indicated. Our defenses must be invulnerable, our security absolute. But our defense as it was yesterday, or even as it is today, does not provide security against potential developments and dangers of the future. * * *

Our security is not a matter of weapons alone. The arm that wields them must be strong, the eye that guides them clear, the will that directs them indomitable.

It is my intention that the personnel of this committee shall be made up of men and women representing every section of the country, every shade of political opinion, as well as representatives of the various professions. In my opinion, a committee of this sort would have the complete confidence of the Nation and would supply the knowledge and experience so necessary to sober the pressing questions of the hour. I trust, Mr. Speaker, that the appropriate committee to which my resolution is referred will give it immediate attention and report the resolution forthwith. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Wednesday of this week, after the disposition of the business on the Speaker's table, and following the com-

pletion of the legislative program for the day and any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the RECORD by inserting a speech by Judge Panken of New York on the European situation.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to include in my remarks of today certain data and tables relating to the historical background of Mexican claims.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief item from this morning's Post.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an anticipation of industrial mobilization by President George Washington.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

NATIONAL DEFENSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein the radio address delivered by Colonel Lindbergh last night.

The SPEAKER. Permission has already been granted to one Member to insert that address in the RECORD.

Mrs. ROGERS of Massachusetts. The only reason that I should like to have it included in my remarks is that I believe it fits in with the few remarks I intend to make.

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, to have the same speech inserted in the RECORD twice on the same day I believe is going just a little too far. I trust the gentleman from Massachusetts will not force me to object.

Mrs. ROGERS of Massachusetts. Mr. Speaker, may I modify my request so as to include in my remarks five short paragraphs from that address regarding the defense of the Western Hemisphere?

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, Colonel Lindbergh in his address last night said, in part:

This brings us to an issue which must sooner or later be faced. An adequate air defense of the Western Hemisphere necessitates the cooperation of the other nations of this hemisphere. Our

military aircraft must have access to their bases. Their foreign policy must have some relationship to ours. We cannot hold this hemisphere free from foreign war if nations which lie within it declare war on foreign powers.

Colonel Lindbergh spoke the exact truth. He also said:

We must not waver now that the crisis is at hand. There is no longer time for us to enter this war successfully. The result of vacillating policies lies clearly before us in the chaos in Europe today.

We need a greater air force, a greater army, and a greater navy; they have been inadequate for many years. Let us form with our neighboring nations a clear-cut and definite policy of American defense.

If we are to defend the United States alone, then we must construct numerous air bases along the Mexican and Canadian borders. Such a plan would require large numbers of small bombers and pursuit planes, and eventually it would leave us as vulnerable to air attack as the nations of Europe are today.

POLICY MUST BE FIXED

On the other hand, if we are to defend the entire Western Hemisphere, we need long-range bombers capable of attacking a hostile fleet a thousand miles or more at sea. But there is little use discussing types and numbers until a defense policy is established.

From the standpoint of defense, we still have two great oceans between us and the warring armies of Europe and Asia. In fact, there is hardly a natural element contributing to air strength and impregnability that we do not now possess. Aviation is for us an asset. It adds to our national safety. With a firm and clear-cut policy we can build an air defense for America that will stand above these shifting sands of war.

But until we have decided upon a definite policy of defense the mere construction of large numbers of aircraft will not be adequate for our national safety. In fact, without a strong policy of defense, we will not even know what types of planes to build. The speed and range of our fighting planes must depend upon the bases available for their use.

Mr. Speaker, I believe every Member of Congress agrees with Colonel Lindbergh in that we should form with the nations in the Western Hemisphere a clear-cut policy regarding the defense of the Western Hemisphere. We should form that policy immediately. I for one have always been an exponent of an adequate and complete national defense. I believe Members of Congress owe it to their constituencies to see that our national defense proceeds as fast as possible. We have a great and grave responsibility to perform. I, for one, am willing to do everything in my power to that end. I hope we shall be in continuous session in order that we may leave no stone unturned to see to it that our defense is adequate. I should like two navies, one for the Pacific and one for the Atlantic, and an air force that is second to none. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today, together with the colloquy I had.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Mr. John T. Flynn.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SHANNON, for 5 days, on account of the death of a friend, Andrew E. Gallegher.

To Mr. JOHNSON of Indiana (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of important business.

To Mr. DEMPSEY, for today, on account of important official business.

COLONEL LINDBERGH

Mr. RAYBURN. Mr. Speaker, I am tempted to make some remarks about a man for whom I have a great respect, in his line, and for whose ability I have a great admiration, in his line, that is, Colonel Lindbergh; but after listening to

his address over the radio last night I recalled the old phrase, "Every workman to his own bench." Colonel Lindbergh is highly capable as a flier and as an aviator. I should have liked his speech last night very much more if he had confined his remarks to the field in which I believe he is so very proficient.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2948. An act for the relief of Morris Hoppenheim, Lena Hoppenheim, Doris Hoppenheim, and Ruth Hoppenheim;

H. R. 3094. An act for the relief of Luise Ehrenfeld;

H. R. 7079. An act to provide for the appointment of additional district and circuit judges; and

H. R. 8826. An act to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 21, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on May 21, 23, and 24, 1940, at 10 a. m., in the committee rooms in the New House Office Building. Further dates will be announced if necessary.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. Tuesday, May 21, 1940, for the consideration of H. R. 9116.

COMMITTEE ON THE JUDICIARY

There will be held before subcommittee No. 4 of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. Wednesday, May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Tuesday, May 21, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. All statements favoring the bill will be heard first. All statements opposing the bill will follow. (It is hoped the opposition will begin to be heard on Wednesday.)

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, May 22, 1940, at 10:30 a. m., for the consideration of H. R. 9774—to deport aliens. Also private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1642. A communication from the President of the United States, transmitting an estimate of appropriation in the amount of \$657.39, to pay claims for damages to any person or damages to or loss of private property caused by employees of the Federal Bureau of Investigation (H. Doc. No.

756); to the Committee on Appropriations and ordered to be printed.

1643. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Treasury Department to pay a claim for damages by collision or damages incident to the operation of vessels of the United States Coast Guard, in the sum of \$406.85 (H. Doc. No. 757); to the Committee on Appropriations and ordered to be printed.

1644. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Navy Department to pay a claim for damages by collision or damages incident to the operation of vessels of the Navy, in the sum of \$170 (H. Doc. No. 758); to the Committee on Appropriations and ordered to be printed.

1645. A communication from the President of the United States, transmitting estimates of appropriations submitted by the War Department to pay claims for damages due to military operations, amounting to \$1,449.92 (H. Doc. No. 759); to the Committee on Appropriations and ordered to be printed.

1646. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the War Department to pay claims for damages under river and harbor work in the sum of \$8,825.45 (H. Doc. No. 760); to the Committee on Appropriations and ordered to be printed.

1647. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts, and which require an appropriation for their payment amounting to \$14,182.68 (H. Doc. No. 761); to the Committee on Appropriations and ordered to be printed.

1648. A communication from the President of the United States, transmitting an estimate of appropriation for payment of certain claims allowed by the General Accounting Office amounting to \$135.20 (H. Doc. No. 762); to the Committee on Appropriations and ordered to be printed.

1649. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims which require an appropriation for their payment amounting to \$344,494.10 (H. Doc. No. 763); to the Committee on Appropriations and ordered to be printed.

1650. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1941 amounting to \$35,000,000 (H. Doc. No. 764); to the Committee on Appropriations and ordered to be printed.

1651. A communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments and independent offices to pay claims for damages to privately owned property in the sum of \$16,239.49 (H. Doc. No. 755); to the Committee on Appropriations and ordered to be printed.

1652. A communication from the President of the United States, transmitting a schedule of claims amounting to \$376,711.51, allowed by the General Accounting Office (H. Doc. No. 765); to the Committee on Appropriations and ordered to be printed.

1653. A letter from the Secretary of Agriculture, transmitting a recommendation that consideration be given to an urgent need for legislation to increase the credit resources of the Commodity Credit Corporation of the Department of Agriculture; to the Committee on Banking and Currency.

1654. A letter from the Administrator of the Federal Housing Administration, transmitting the Sixth Annual Report of the Federal Housing Administration for the year ending December 1939 (H. Doc. No. 766); to the Committee on Banking and Currency and ordered to be printed, with illustrations.

1655. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Department of Labor for the fiscal year 1939 (H. Doc. No. 767); to the Committee on Appropriations and ordered to be printed.

1656. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to the appropriation for the War Department for construction of buildings, utilities, and appurtenances at military posts, contained in the Supplemental Military Appropriation Act, 1940 (H. Doc. No. 768); to the Committee on Appropriations and ordered to be printed.

1657. A communication from the President of the United States, transmitting a draft of a proposed provision affecting the appropriation of the Navy Department for aviation, Navy, fiscal year 1938 (H. Doc. No. 769); to the Committee on Appropriations and ordered to be printed.

1658. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1940 in the amount of \$415,000, together with a draft of a proposed provision to amend an existing appropriation for the fiscal year 1939, both of which pertain to the legislative establishment, Government Printing Office (H. Doc. No. 770); to the Committee on Appropriations and ordered to be printed.

1659. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the United States New York World's Fair Commission amounting to \$275,000 (H. Doc. No. 771); to the Committee on Appropriations and ordered to be printed.

1660. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Executive Office of the President, in the amount of \$50,000, for the fiscal year 1941, to remain available until expended (H. Doc. No. 772); to the Committee on Appropriations and ordered to be printed.

1661. A communication from the President of the United States transmitting a draft of a proposed provision affecting the appropriation of the Naval Establishment for general expenses, Marine Corps, for the fiscal year ending June 30, 1940 (H. Doc. No. 773); to the Committee on Appropriations and ordered to be printed.

1662. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1941, to remain available until expended, in the amount of \$1,000,000, for the Veterans' Administration, for hospital and domiciliary facilities (H. Doc. No. 774); to the Committee on Appropriations and ordered to be printed.

1663. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, for the fiscal year 1941, amounting to \$15,000 (H. Doc. No. 775); to the Committee on Appropriations and ordered to be printed.

1664. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1940, amounting to \$400,000 (H. Doc. No. 776); to the Committee on Appropriations and ordered to be printed.

1665. A communication from the President of the United States, transmitting a supplemental estimate of appropriation, for the National Advisory Committee for Aeronautics for the fiscal year 1941, amounting to \$2,000,000 (H. Doc. No. 777); to the Committee on Appropriations and ordered to be printed.

1666. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the United States Golden Gate International Exposition Commission amounting to \$200,000 (H. Doc. No. 778); to the Committee on Appropriations and ordered to be printed.

1667. A communication from the President of the United States, transmitting two supplemental estimates of appropriation for the fiscal year ending June 30, 1941, for the Department of Agriculture, totaling \$22,000 (H. Doc. No. 779); to the Committee on Appropriations and ordered to be printed.

1668. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to provide for the reimbursement of Philip A. Penston, pharmacist's mate, first class, United States Coast Guard, for the value of personal and household effects lost and destroyed during the hurricane

of September 21, 1938, at New London, Conn.; to the Committee on Claims.

1669. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1940, amounting to \$1,608,000 (H. Doc. No. 754); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 9514. A bill for the relief of certain former disbursing officers for the Civil Works Administration and the Federal Emergency Relief Administration; without amendment (Rept. No. 2249). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. S. 2639. An act relating to the hours of service of persons employed upon the Government-owned Wiota-Fort Peck Railroad in the State of Montana; without amendment (Rept. No. 2250). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. S. 3042. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended; without amendment (Rept. No. 2251). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. H. R. 9113. A bill to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps; without amendment (Rept. No. 2252). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 6819. A bill for the payment of claims of the Fidelity Trust Co., of Baltimore, Md., and others; with amendment (Rept. No. 2237). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 6891. A bill for the relief of William M. Irvine; with amendment (Rept. No. 2238). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 6967. A bill for the relief of Thomas Boyd; without amendment (Rept. No. 2239). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 7283. A bill for the relief of Frank Hall; with amendment (Rept. No. 2240). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 7608. A bill for the relief of J. Montrose Edrehi; with amendment (Rept. No. 2241). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 7821. A bill for the relief of Anna T. Sifferman Varga; without amendment (Rept. No. 2242). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 7826. A bill for the relief of R. F. Brazelton; with amendment (Rept. No. 2243). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. H. R. 7858. A bill for the relief of Mary D. Briggs and Simeon G. Rigor; with amendment (Rept. No. 2244). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 7914. A bill for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor; without amendment (Rept. No. 2245). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8097. A bill to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and

dependents of Vern A. Needles," approved July 15, 1939; without amendment (Rept. No. 2246). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8099. A bill for the relief of James L. Kinney; without amendment (Rept. No. 2247). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8722. A bill for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard; without amendment (Rept. No. 2248). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 9818. A bill to provide for the further development of the fish-cultural station at Spearfish, S. Dak.; to the Committee on Merchant Marine and Fisheries.

By Mr. JONES of Texas:

H. R. 9819. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, the Agricultural Adjustment Act of 1938, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. O'CONNOR:

H. R. 9820. A bill to provide for the construction, extension, equipment, and improvement of public-school facilities at Browning, Mont., Glacier County; to the Committee on Indian Affairs.

By Mr. SMITH of Washington:

H. R. 9821. A bill to provide for the construction by the Secretary of the Treasury of a Federal building for use as a National Guard Armory in Kelso, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. VINSON of Georgia:

H. R. 9822. A bill to expedite naval shipbuilding, and for other purposes; to the Committee on Naval Affairs.

By Mr. ALEXANDER:

H. R. 9823 (by request). A bill to provide veterans' work program; to the Committee on World War Veterans' Legislation.

By Mr. McLEOD:

H. R. 9824. A bill to provide for the transfer of the surplus decommissioned lighthouse tender *Mayflower* to the Detroit Naval Post, No. 233, Veterans of Foreign Wars; to the Committee on Merchant Marine and Fisheries.

By Mr. MAY:

H. R. 9825. A bill to expedite the strengthening of the national defense; to the Committee on Military Affairs.

By Mr. VAN ZANDT:

H. R. 9826. A bill to authorize the Postmaster General to continue the experimental air-mail service until June 30, 1941; to the Committee on the Post Office and Post Roads.

By Mr. BOREN:

H. R. 9827. A bill to provide for the training of civil aircraft pilots, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EBERHARTER:

H. R. 9828. A bill to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. IZAC:

H. R. 9829. A bill authorizing an appropriation for the purpose of providing the necessary control of fire, control of erosion, and conservation of water, by the protection of the existing vegetative cover and improvement of said cover for the control of run-off on lands lying within the Angeles, San Bernardino, Los Padres, and Cleveland National Forests, and adjacent lands in Los Angeles, San Bernardino, Santa Barbara, San Luis Obispo, Ventura, Riverside, and San Diego Counties, State of California; to the Committee on Agriculture.

By Mr. MAHON:

H. R. 9830. A bill relating to cotton-acreage allotments in counties under the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

By Mr. DITTER:

H. J. Res. 547. Joint resolution making appropriations for work relief and relief, for the fiscal year ending June 30, 1941; to the Committee on Appropriations.

By Mr. HARRINGTON:

H. J. Res. 548. Joint resolution to authorize the appropriation of \$100,000,000 additional funds for use by the Federal Surplus Commodities Corporation for stabilizing agricultural prices now suffering severe declines due to the emergency arising out of the European war and its repercussion upon our domestic prices for agricultural products; to the Committee on Appropriations.

By Mr. MARTIN J. KENNEDY:

H. J. Res. 549. Joint resolution creating a national defense authority to investigate and report to the President on the national-defense requirements of the United States; to the Committee on Military Affairs.

By Mr. SHEPPARD:

H. Res. 494. Resolution authorizing the appointment of a Select Committee to Investigate Pacific Coast Petroleum Deposits; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 9831. A bill for the relief of Max J. Olshen; to the Committee on Claims.

By Mr. BARRY:

H. R. 9832 (by request). A bill for the relief of Amelia A. Mannshardt; to the Committee on Claims.

By Mr. CHURCH:

H. R. 9833. A bill for the relief of Stanislaw Kowalczyk; to the Committee on Immigration and Naturalization.

By Mr. ANGELL:

H. R. 9834. A bill for the relief of Gilbert E. Jackson and Helen Jackson, individually, and as the natural guardians of Edwin Jackson, a minor; to the Committee on Claims.

By Mr. DAVIS:

H. R. 9835. A bill for the relief of Arthur J. Ellwood; to the Committee on Naval Affairs.

By Mr. GARRETT:

H. R. 9836. A bill for the relief of Frank E. Sage; to the Committee on Claims.

H. R. 9837. A bill granting a pension to Norella Witcher; to the Committee on Pensions.

By Mr. JOHNSON, of Indiana:

H. R. 9838. A bill for the relief of B. B. Stringer; to the Committee on War Claims.

By Mr. JOHNSON of West Virginia:

H. R. 9839. A bill for the relief of Mr. and Mrs. T. Earl Rodgers; to the Committee on Claims.

By Mr. McDOWELL:

H. R. 9840. A bill for the relief of Bela Karlovitz; to the Committee on Immigration and Naturalization.

By Mr. PACE:

H. R. 9841. A bill for the relief of E. H. Watson; to the Committee on Claims.

By Mr. SNYDER:

H. R. 9842. A bill for the relief of Jozef Kvartek; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8319. By Mr. MICHAEL J. KENNEDY: Petition of the Pioneer Panama Canal Builders Legislative Association of Miami, Fla., urging House consideration of House bill 1674

and its enactment; to the Committee on Merchant Marine and Fisheries.

8320. Also, petition of the Associated Cooperage Industries of America, Inc., opposing enactment of the Cummings bill as now drawn unless it is amended to restore the restrictions on the importation of islands-refined cane sugar that were in effect in the previous legislation which expired February 29, 1940, and failing such amendment recommending the withdrawal of all sugar legislation and that the industry be left entirely free from governmental control; to the Committee on Foreign Affairs.

8321. Also, petition of the New York State Society of the Cincinnati, calling upon the Government of the United States to render generous and substantial help to our Allies in the European war now in progress; to the Committee on Foreign Affairs.

8322. Also, petition of the New York State Society of the Cincinnati, calling upon the Government of the United States to render generous and substantial help to our Allies in the late war, in their present resistance to German aggression; to the Committee on Foreign Affairs.

8323. Also, petition of the Work Projects Administration Teachers Union of New York City, urging adoption of certain amendments to the Work Projects Administration bill; to the Committee on Appropriations.

8324. Also, petition of the Veterans of Foreign Wars of the United States, proposing certain amendments to the Work Projects Administration appropriation bill, providing preferences to employment of veterans, the wives of such veterans as are not employable and the unmarried widows of such veterans who are in real need; to the Committee on Appropriations.

8325. Also, petition of the United Optical Workers Union, Local No. 208, urging enactment of the Work Projects Administration appropriation bill (Walsh-Healey amendments, S. 1032), wage-hour amendments (national health bill, industrial hygiene bill), and unemployment compensation (La Follette oppressive labor practices bill, anti-poll-tax bill); to the Committee on Appropriations.

8326. Also, petition of the Social Service Employees Union, Local No. 19, urging 3,000,000 Work Projects Administration jobs and opposing defense appropriations at this time; to the Committee on Appropriations.

8327. Also, petition of the Actors Equity Association, urging passage of an amendment to the Relief Act permitting theater workers to share its benefits; to the Committee on Appropriations.

8328. Also, petition of the Metropolitan League of Savings and Loan Associations of New York, now serving over 250,000 savers and home owners in metropolitan New York, urging enactment of House bill 6971, which would permit the savings and loan associations of this country to still more effectively meet the thrift and home-financing needs of this country; to the Committee on Banking and Currency.

8329. Also, petition of H. L. Barker, Inc., New York City, urging enactment of Senate bill 2753, which would offset ruling of the Association of American Railroads, which prevents shippers of perishable products from selecting suitable equipment for loading their products now being furnished by private-car companies; to the Committee on Interstate and Foreign Commerce.

8330. Also, petition of G. N. Savage & Co., Inc., urging immediate enactment of Senate bill 2753, which would offset ruling of the Association of American Railroads which prevents shippers of perishable products from selecting suitable equipment for loading their products now being furnished by private car companies; to the Committee on Interstate and Foreign Commerce.

8331. Also, petition of Loyal Blanchard & Co., New York City, urging immediate enactment of Senate bill 2753, which would offset ruling of the Association of American Railroads which prevents shippers of perishable products from selecting suitable equipment for loading their products now being

furnished by private car companies; to the Committee on Interstate and Foreign Commerce.

8332. Also, petition of the Department of Agriculture and Immigration of the State of Louisiana, relative to an appropriation for the next fiscal year for the suppression of the white-fringed beetle; to the Committee on Agriculture.

8333. By Mr. KEOGH: Petition of the Wagner Baking Co., Newark, N. J., opposing the passage of the Pierce bill (H. R. 9273), income certificate plan; to the Committee on Agriculture.

8334. Also, petition of the New York State Credit Union League, Inc., New York City, favoring the passage of Senate bill 2658; to the Committee on Banking and Currency.

8335. Also, petition of the United Office and Professional Workers of America, New York City, favoring the passage of the Murray bill (H. R. 3365), the national health bill (H. R. 1620), the Walsh-Healey amendments (Senate bill 1032), and the passage of the Geyer anti-poll-tax bill; to the Committee on Claims.

8336. By Mr. PFEIFER: Petition of the Metropolitan League of Savings and Loan Associations, New York City, approving House bill 6971; to the Committee on Banking and Currency.

8337. Also, petition of the Port of New York Authority, New York City, urging amendment of the Cummings bill to include the provisions of the Barry bill (H. R. 9654) relative to existing quotas of tropical refined sugar; to the Committee on Agriculture.

8338. Also, petition of the Good and Welfare Club of Brooklyn, N. Y., requesting that the word "continuous" be stricken from the longevity bill (H. R. 3649); to the Committee on the Post Office and Post Roads.

8339. Also, petition of the Brooklyn Postal Employees Credit Union, Brooklyn, N. Y., urging enactment of Senate bill 2568; to the Committee on Banking and Currency.

8340. Also, petition of the New York State Credit Union League, Inc., New York City, urging consideration and passage of Senate bill 2568 before adjournment of Congress; to the Committee on Banking and Currency.

8341. By Mr. SMITH of West Virginia: Petition requesting support of House bill 8243, a bill providing for the equalization of pensions to dependents of officers and enlisted men of the United States Army; to the Committee on Invalid Pensions.

8342. By the SPEAKER: Petition of the United Automobile Workers of America, Anderson, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8343. Also, petition of the Society of Designing Engineers, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8344. Also, petition of the International Union of Operating Engineers, Locals 19-19A, Fort Wayne, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8345. Also, petition of the United Automobile Workers of America, Local 208, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8346. Also, petition of the Fisher Body Local No. 45, Cleveland, Ohio, petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8347. Also, petition of the United Automobile Workers of America, Local 151, Connersville, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8348. Also, petition of the International Union, United Automobile Workers of America, Milwaukee, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8349. Also, petition of the North Side Civil Rights Council, Chicago, Ill., petitioning consideration of their resolution with reference to domestic or foreign policies; to the Committee on Foreign Affairs.

8350. Also, petition of the Pennsylvania Society of Professional Engineers, Pittsburgh Chapter, Pittsburgh, Pa., petitioning consideration of their resolution with reference to national defense; to the Committee on Military Affairs.

8351. Also, petition of the Women's International League for Peace and Freedom, Washington, D. C., petitioning consideration of their resolution with reference to the duration of this session of Congress; to the Committee on Ways and Means.

8352. Also, petition of B. B. Udell & Sons Co., Wilmette, Ill., petitioning consideration of their resolution with reference to House bill 8264, a bill to provide for national recovery and general welfare; to the Committee on Ways and Means.

8353. Also, petition of the Gaetano Pilati Fraternal Aid Club, No. 176, Arnold, Pa., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8354. Also, petition of the Detroit Fur Workers Union, Local 38, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

SENATE

TUESDAY, MAY 21, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Fred Buschmeyer, pastor of the Mount Pleasant Congregational Church, Washington, D. C., offered the following prayer:

Lord God of hosts, beneath whose creative, sustaining, and merciful hand all men and nations have their being, we acknowledge the constancy of Thy concern and mercy even when the children of Thy spirit forget Thee. If Thou shouldst mark iniquities, who could stand? But Thou art the God whose property is always to have mercy. In gratitude, humility, and deep earnestness we pray for wisdom, courage, and steadfastness, that in a time of great turmoil all who serve here may seek to think Thy thoughts, to serve Thy truth, to work Thy will, for the welfare of this our Nation and all Thy people everywhere. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, May 20, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | | |
|---------|--------------|-----------------|-----------|
| Andrews | Chandler | Glass | McKellar |
| Ashurst | Chavez | Gurney | McNary |
| Austin | Clark, Idaho | Hale | Maloney |
| Bailey | Clark, Mo. | Harrison | Mead |
| Barbour | Connally | Hatch | Miller |
| Barkley | Danaher | Hayden | Minton |
| Bilbo | Davis | Herring | Murray |
| Bone | Donahay | Johnson, Calif. | Neely |
| Bulow | Downey | Johnson, Colo. | Norris |
| Burke | Ellender | King | Nye |
| Byrd | George | La Follette | O'Mahoney |
| Byrnes | Gerry | Lucas | Overton |
| Capper | Gibson | Lundeen | Pepper |
| Caraway | Gillette | McCarran | Pittman |

| | | | |
|-----------|---------------|--------------|-------|
| Radcliffe | Slattery | Thomas, Utah | Walsh |
| Reynolds | Smathers | Townsend | White |
| Russell | Smith | Tydings | Wiley |
| Schwartz | Stewart | Vandenberg | |
| Sheppard | Thomas, Idaho | Van Nuys | |
| Shipstead | Thomas, Okla. | Wagner | |

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. HILL] is detained on official business for the special committee investigating campaign expenditures.

The Senator from Colorado [Mr. ADAMS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from West Virginia [Mr. HOLT], the Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard in Louisiana.

The Senator from North Dakota [Mr. FRAZIER], the Senator from Ohio [Mr. TAFT], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on the business of the Senate.

The Senator from Oregon [Mr. HOLMAN] is observing the war maneuvers at Camp Beauregard.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

PHILIP A. PENSTON

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the reimbursement of Philip A. Penston, pharmacist's mate, first class, United States Coast Guard, for the value of personal and household effects lost and destroyed during the hurricane of September 21, 1938, at New London, Conn., which, with the accompanying paper, was referred to the Committee on Claims.

EXTENSION OF TIME FOR COMPLETION OF PROJECTS UNDER PUBLIC WORKS ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Works Agency, transmitting a draft of proposed legislation to amend title II of an act entitled "Works Relief and Public Works Appropriation Act of 1938," approved June 21, 1938, so as to extend to June 30, 1941, the time within which a project can be substantially completed, and also to extend the time for availability of the funds therefor until that same date, which, with the accompanying paper, was referred to the Committee on Appropriations.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution of the Mutual Association of Postal Employees, of Philadelphia, Pa., favoring the enactment of the bill (S. 1305) to promote the general welfare through appropriation of funds to assist the States and Territories in providing more effective programs of public education, which was ordered to lie on the table.

He also laid before the Senate a resolution of Bothwell Kane Post, No. 21, American Legion, of Fort Worth, Tex., commending the work of the so-called Dies committee, of the House of Representatives, on un-American activities and favoring continuance of the work of that committee, and also favoring the prompt adoption of adequate plans and provision for the national defense, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 7901) to transfer certain Indian lands to the Grand River Dam Authority, and for other purposes, reported it without amendment and submitted a report (No. 1633) thereon.